SA 170. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 211. Mr. SNOWE (for herself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 171. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 113. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 99. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 191. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 118. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 212. Mr. BROWN of Massachusetts (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 114. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 213. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 214. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 215. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 216. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 217. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 218. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 219. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 220. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 221. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 222. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 223. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 224. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 225. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 226. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 227. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 228. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 229. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 230. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 231. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 232. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 233. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 234. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 235. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 236. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 237. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 238. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 239. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 240. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 241. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 242. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 243. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 244. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 245. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 246. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 247. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 248. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 249. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 250. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 251. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 252. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 253. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 254. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 255. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 256. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 257. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 258. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 259. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 260. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 261. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 262. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 263. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 264. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 265. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 266. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.
him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, strike line 20 and all that follows through page 47, line 22, and insert the following:

SEC. 201. TECHNICAL AND CONFORMING AMENDMENTS.

(a) Redesignation.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by striking section 43, as added by section 290(a) of this Act;

(2) by redesignating sections 44, 45, and 46, as redesignated by subsection (a)(1) of this subsection, as sections 44, 45, and 46, respectively;

(3) in section 37(d) (15 U.S.C. 657(l)(d)), by striking “section 43” and inserting “section 44”;

(4) in section 40(d) (15 U.S.C. 657l(d)), by striking “section 43” and inserting “section 44”; and

(5) in section 41(b) (15 U.S.C. 657m(b)), by striking “section 43” and inserting “section 44”.

(b) Section 205.—The amendments made by section 205(b) of this Act shall have no force or effect.

(c) PROSPECTIVE REPEAL OF THE SMALL BUSINESS INNOVATION RESEARCH PROGRAM.—Effective 5 years after the date of enactment of this Act, the Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by striking section 43, as added by section 290(a) of this Act;

(2) by redesignating sections 44, 45, and 46, as redesignated by subsection (a)(1) of this subsection, as sections 44, 45, and 46, respectively;

(3) in section 37(d) (15 U.S.C. 657l(d)), by striking “section 44” and inserting “section 43”; and

(4) in section 40(d) (15 U.S.C. 657l(d)), by striking “section 44” and inserting “section 43”.

SA 172. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 5. WATER QUALITY STANDARDS.

None of the funds made available by this Act or any other provision of law may be used to implement, administer, or enforce the final rule of the Environmental Protection Agency entitled “Water Quality Standards for the State of Florida’s Lakes and Flowing Waters” (75 Fed. Reg. 75782 (December 6, 2010)).

SA 176. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 5. BUDGET OF THE UNITED STATES GOVERNMENT.

(a) PROHIBITION ON PRINTING THE BUDGET OF THE UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—Chapter 13 of title 44, United States Code, is amended by adding at the end the following:

“§ 1345. Prohibition on printing of the budget of the United States Government.


(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 44, United States Code, is amended by adding after the item relating to section 1344 the following:

“Sec. 1345. Prohibition on printing of the budget of the United States Government.”.

(b) ELECTRONIC AVAILABILITY.—The Office of Management and Budget shall make the budget of the United States Government submitted to Congress under section 1105 of title 31, United States Code, available—

(1) to the public on the website of the Office of Management and Budget; and

(2) in a format which enables the budget to be downloaded and printed by users of the website.

SA 177. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. TERMINATION OF NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.

(a) TERMINATION.—

(1) IN GENERAL.—The National Veterans Business Development Corporation is hereby terminated.

(2) WINDING-UP.—The Board of Directors of the National Veterans Business Development Corporation shall take such actions as are necessary and appropriate to wind up the affairs of the Corporation as soon as practicable after the date of the enactment of this Act.

(b) CONFORMING REPEAL.—Section 33 of the Small Business Act (15 U.S.C. 675c) is repealed.

SA 178. Mr. VITTER proposed an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the end, add the following:
SA 179. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 501, add the following:

(d) SUNSET.—Effective on the date that is 5 years after the date of enactment of this Act, section 9 of the Small Business Act (15 U.S.C. 638), as amended by this section, is amended—

(1) in subsection (a)—

(A) in paragraph (3)—

(i) by striking “applications to the Federal agency for support of projects relating to nanotechnology, rare diseases, security, energy, transportation, or improving the security and quality of the water supply of the United States, and the efficiency of water delivery systems and usage patterns in the United States (including the territories of the United States) through the use of technology (to the extent that the projects relate to the mission of the Federal agency), broad research topics relating to 1 or more critical technologies or research priorities” and inserting “broad research topics and to topics that further 1 or more critical technologies”; and

(ii) in subparagraph (A), by adding “or” at the end;

(iii) in subparagraph (B), by striking the semicolon at the end and inserting a period; and

(iv) by striking subsections (C), (D), (E), and (F); and

(B) by striking paragraph (13);

(2) in subsection (o)—

(A) in paragraph (3)—

(i) by striking applications to the Federal agency for support of projects relating to nanotechnology, rare diseases, security, energy, transportation, or improving the security and quality of the water supply of the United States, and the efficiency of water delivery systems and usage patterns in the United States (including the territories of the United States) through the use of technology (to the extent that the projects relate to the mission of the Federal agency), broad research topics relating to 1 or more critical technologies or research priorities” and inserting “broad research topics and to topics that further 1 or more critical technologies”; and

(ii) in subparagraph (A), by adding “or” at the end;

(iii) in subparagraph (B), by striking the semicolon at the end and inserting a period; and

(iv) by striking subsections (C), (D), (E), and (F);

(B) in paragraph (15), by adding “and” at the end;

(C) in paragraph (16), by striking “;” and

and

inserting a period; and

(D) by striking paragraph (17); and

(f) in subsection (p)—

(A) by adding at the end the following:

(3) UTILIZATION OF PLANS.—The criteria and procedures described in paragraph (1) shall be developed through the use of the most current versions of the following plans:


(B) The Defense Technology Area Plan of the Department of Defense;

(C) The Basic Research Plan of the Department of Defense;.

SA 180. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page __, between lines __ and __, insert the following:

SEC. 5711. Domestic air travel restriction.

(a) In this section, the term 'United States' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Marianas Islands, and any other territory or possession of the United States, but does not include the Trust Territory of the Pacific Islands.

(b) An employee may be reimbursed for the actual and necessary expenses of official air travel within the United States if that travel is coach-class;:

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and apply to travel taken on or after that date.

SA 182. Mr. NELSON of Nebraska (for himself, Mr. TESTER, Mr. PRYOR, and Mr. MERKLEY) proposed an amendment to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the appropriate place, insert the following:

It is the sense of the Senate that it supports reducing its budget by at least 15 percent. The Senate has made the findings that:

Finding that, Congress must pursue comprehensive deficit reduction;

Finding that, the nation is deeply involved in military action on two fronts.

Finding that, Admiral Mullen has noted the most significant threat to national security is the national debt, which was ordered to lie on the table; as follows:

On page __, between lines __ and __, insert the following:

SEC. 5711. Domestic air travel restriction.

(a) In this section, the term ‘United States’ means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Marianas Islands, and any other territory or possession of the United States, but does not include the Trust Territory of the Pacific Islands.

(b) An employee may be reimbursed for the actual and necessary expenses of official air travel within the United States if that travel is coach-class;:

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and apply to travel taken on or after that date.
It is the sense of the Senate, that it should lead by example and reduce the budget of the Senate by at least 5 percent.

**SA 183. Mr. MCCONNELL** proposed an amendment to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the end, add the following:

**TITLE VI—ENERGY TAX PREVENTION**

SEC. 601. SHORT TITLE

This title may be cited as the “Energy Tax Prevention Act of 2011”.

**SEC. 602. NO REGULATION OF EMISSIONS OF GREENHOUSE GASES**

(a) In General.—Title III of the Clean Air Act (42 U.S.C. 7601 et seq.) is amended by adding at the end the following:

**SEC. 330. NO REGULATION OF EMISSIONS OF GREENHOUSE GASES.**

“(a) Definition.—In this section, the term ‘greenhouse gas’ means any of the following:

(1) Water vapor.

(2) Carbon dioxide.

(3) Methane.

(4) Nitrous oxide.

(5) Sulfur hexafluoride.

(6) Hydrofluorocarbons.

(7) Perfluorocarbons.

(8) Any other substance subject to, or proposed to be subject to, regulation, action, or enforcement only involves one or more actions (including any provision that—

(1) is contained in a State implementation plan under section 110 and authorizes or requires a limitation on, or imposes a permit requirement for, the emission of a greenhouse gas to address climate change; or

(2) is part of an operating permit program under title V, or a permit issued pursuant to title V, and requires a limitation on the emission of a greenhouse gas to address climate change.

**(c) Action by Administrator.—The Administrator may not approve or make Federally enforceable any provision described in subparagraph (b)(i).**

**SEC. 603. PRESERVING ONE NATIONAL STANDARD FOR AUTOMOBILES.**

Section 208(b) of the Clean Air Act (42 U.S.C. 7545) is amended by adding at the end the following:

“(4) With respect to standards for emissions of greenhouse gases (as defined in section 302) for model year 2017 or any subsequent model year for new motor vehicles and new motor vehicle engines—

(A) the Administrator may not waive application of subsection (a); and

(B) no waiver granted prior to the date of enactment of this Act may be considered to waive the application of subsection (a).”

**SA 184. Mr. COBURN** (for himself, Ms. COLLINS, and Mrs. McCASKILL) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 5. REQUIREMENT TO IDENTIFY AND DESCRIBE PROGRAMS.**

(a) Each fiscal year, the head of each Federal agency shall—

(1) identify and describe every program administered by the agency, including the mission, goals, purpose, budget, and statutory authority of each program;

(2) report the list and description of programs to the Office of Management and Budget, the Comptroller General of the United States, the Congressional Budget Office, and the U.S. Government Accountability Office; and

(3) post the list and description of programs on the agency’s public website.

(b) Not later than 120 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall prescribe regulations to implement this section.

(c) This section shall be implemented beginning in the first full fiscal year occurring after the date of the enactment of this Act.

**SA 185. Mr. CORYN** submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 6. IMPROVED TRANSPARENCY.**

The Secretary of Health and Human Services shall publish on the Internet website of the Department of Health and Human Services any application submitted by any entity.
for a waiver from any requirement of the Patient Protection and Affordable Care Act (and the amendments made by that Act).

SA 186. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

TITLe —UNited States Authorization and Sunset Commission act of 2011

sec. 01. short Title.

This title may be cited as the “United States Authorization and Sunset Commission Act of 2011.”

sec. 02. definitions.

In this title—

(1) the term “agency” means an Executive agency as defined under section 105 of title 5, United States Code;

(2) the term “Commission” means the United States Authorization and Sunset Commission established under section 93; and

(3) the term “Commission Schedule and Review bill” means the proposed legislation submitted to Congress under section 04(b).

SEC. 03. Establishment of Commission.

(a) Establishment.—There is established the United States Authorization and Sunset Commission (the “Commission”).

(b) Composition.—The Commission shall be composed of eight members (in this title referred to as the “members”), as follows:

(1) Four members appointed by the majority leader of the Senate, one of whom may include the minority leader of the Senate, with the consent of the minority leader of the Senate.

(2) Four members appointed by the Speaker of the House of Representatives, one of whom may include the Speaker of the House of Representatives, with the consent of the minority leader of the House of Representatives.

(3) The Director of the Congressional Budget Office and the Comptroller of the Government Accountability Office shall be non-voting ex officio members of the Commission.

(c) Qualifications of Members.—

(1) IN GENERAL.—

(A) Senate Members.—Of the members appointed under subsection (b)(1), four shall be members of the Senate (not more than two of whom may be of the same political party).

(B) House of Representative Members.—Of the members appointed under subsection (b)(2), four shall be members of the House of Representatives, not more than two of whom may be of the same political party.

(2) Continuation of Membership.—

(A) Initial Appointment.—A member was appointed to the Commission as a Member of Congress and the member ceases to be a Member of Congress, that member shall cease to be a member of the Commission.

(B) Actions of Commission Unaffected.—Any action of the Commission shall not be affected as a result of a member becoming ineligible as a member of Congress under this paragraph.

(3) Initial Appointments.—Not later than 90 days after the date of enactment of this title, all initial appointments to the Commission shall be made.

(d) Chairperson; Vice Chairperson.—

(1) Initial Chairperson.—An individual shall be designated by the Speaker of the House of Representatives from among the members initially appointed under subsection (b)(2) to serve as chairperson of the Commission who serves more than 3 years of a term as a member.

(2) Initial Vice Chairperson.—An individual shall be designated by the majority leader of the Senate from among the individuals initially appointed under subsection (b)(1) to serve as vice-chairperson of the Commission for a period of 2 years.

(e) Alternates, Annual Change of Chairmen and Vice Chairmen.—Following the termination of the 2-year period described under paragraphs (1) and (2), the Speaker and the minority leader of the Senate shall alternate every 2 years in appointing the chairperson and vice-chairperson of the Commission.

(f) Terms of Commission.

(1) Members of Congress.—Each member appointed to the Commission shall serve for a term of 6 years, except that, of the members initially appointed under subsection (b)(1) and (2) of subsection (b), two members shall be appointed to serve a term of 3 years.

(2) Term Limit.—A member of the Commission who serves more than 5 years of a term may not be appointed to another term as a member.

(g) Initial Meeting.—If, after 90 days after the date of enactment of this title, five or more members of the Commission have been appointed—

(1) members who have been appointed may—

(A) meet; and

(B) select a chairperson from among the members (if a chairperson has not been appointed until the initial meeting of the Commission, including the initial meeting of staff).

(h) Meetings; Vacancies.—After its initial meeting, the Commission shall meet upon the call of the chairperson or a majority of its members. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(1) Powers of the Commission.—

(a) General Authority.—The Commission may, for the purpose of carrying out the provisions of this title—

(I) hold such hearings and sit and act at such times and places, as it may determine advisable, receive such evidence, administer such oaths; and

(ii) require, by subpoena or otherwise, the attendance and testimony of such witnesses, the production of such books, records, correspondence, memoranda, papers, and documents, that the Commission or such designated member may determine advisable as may be authorized by law.

(b) Subpoenas.—Subpoenas issued under subparagraph (A)(ii) may be issued to require attendance and testimony of witnesses and the production of evidence relating to any matter under investigation by the Commission.

(c) Enforcement.—The provisions of sections 191 through 194 of the Revised Statutes of the United States (2 U.S.C. 192 through 194) shall apply in the case of any refusal or a witness to comply with any subpoena served under this chapter.

(d) Information from Federal Agencies.—The Commission may, for the purpose of carrying out the provisions of this title, request information, suggestions, estimates, and statistics directly from the Commission, upon request made by the chairperson.

(e) Support Services.—

(A) Government Accountability Office.—The Government Accountability Office is authorized on a reimbursable basis to provide the Commission with such support services as the Commission may request.

(B) General Services Administration.—The Administrator of General Services shall provide to the Commission such administrative support services as the Commission may request.

(C) Agencies.—In addition to the assistance under subparagraphs (A) and (B), the Director of the Commission shall be authorized to provide to the Commission such services, funds, facilities, staff, and other support services as the Commission may determine advisable as may be authorized by law.

(f) Postal Services.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(g) Immunity.—The Commission is an agency of the United States for purposes of part 471 of title 31, United States Code (relating to immunity of witnesses).

(h) Director and Staff of the Commission.—

(A) Director.—The chairperson of the Commission may appoint a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service and with regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level II of the Executive Schedule. Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detail shall retain the rights, status, and privileges of his or her regular employment with the Commission.

(B) Personnel as Federal Employees.—

(i) In General.—The executive director and any personnel of the Commission who are Government employees shall be authorized, with the approval of the majority of the Commission, the chairperson of the Commission may procure temporary and intermittent services without regard to section 3109 of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5135 of title 5, United States Code.

(ii) Members of Commission.—Clause (i) shall not be construed to apply to members of the Commission.

(iii) Procurement of Temporary and Interim Services.—With the approval of the majority of the Commission, the chairperson of the Commission may procure temporary or intermittent services without regard to section 3109 of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5135 of title 5, United States Code.

(iv) Compensation and Travel Expenses.—(A) Compensation.—Members shall not be paid by reason of their service on the Commission.

(B) Travel Expenses.—Each member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with sections 702 and 703(b) of title 5, United States Code.

(j) Authorization of Appropriations.—The Commission is authorized to receive such sums as necessary for the purposes of carrying out the duties of the Commission.
SEC. 04. DUTIES AND RECOMMENDATIONS OF THE UNITED STATES AUTHORIZATION, REORGANIZATION, AND ABOLISHMENT OF FEDERAL AGENCIES AND PROGRAMS—

(a) SCHEDULE AND REVIEW.—

(1) In general.—Not later than 18 months after the date of the enactment of this title and every 10 years thereafter, the Commission shall submit to Congress a legislative proposal that includes the schedule of review and abolishment of agencies and programs (in the section referred to as the “Commission Schedule and Review bill”).

(2) Schedule.—The schedule of the Commission shall provide a timeline for the Commission’s review and proposed abolishment of—

(A) at least 25 percent of unauthorized agencies or programs as measured in dollars, including those identified by the Congressional Budget Office under section 620(e)(3) of title 2, United States Code; and

(B) at least 25 percent of the agencies and programs with duplicative goals and activities within Departments and government-wide as measured in dollars identified by the Comptroller General of the United States under title 2, United States Code; and

(C) the management of the financial and personnel issues of the program or agency.

(d) Whether the program or agency has fulfilled the legislative intent surrounding its creation, taking into account any change in legislation that may impair the existence of the program or agency.

(E) Ways the agency or program could be less burdensome but still efficient in providing services.

(F) Whether reorganization, consolidation, abolishment, expansion, or transfer of agencies or programs would better enable the Federal programs and agencies to accomplish its missions and goals.

(G) The promptness and effectiveness of an agency in handling complaints and requests made under section 502 of title 5, United States Code (commonly referred to as the Freedom of Information Act).

(H) The extent that the agency encourages and permits public participation when making rules and decisions.

(I) The record of the agency in complying with requirements for equal employment opportunity, the rights and privacy of individuals, and purchasing products from historically underutilized businesses.

(J) The extent to which the program or agency duplicates or conflicts with other Federal agencies, State or local government, or the private sector and if consolidation or streamlining into a single agency or program is feasible.

(b) SCHEDULE AND ABOLISHMENT OF AGENCIES AND PROGRAMS.—

(1) In general.—Not later than 18 months after the date of the enactment of this title and at least once 10 years thereafter, the Commission shall submit to the Congress a Commission Schedule and Review bill that—

(A) includes a schedule for review of agencies and programs; and

(B) abolishes an agency or program 2 years after the date the Commission completes its review of the agency or program, unless the agency or program is reauthorized by Congress.

(2) Expeditied congressional consideration procedures.—In reviewing the Commission Schedule and Review bill, Congress shall follow the expedited procedures under section 06.

(c) Recommendations and legislative proposals.—

(1) Report.—Not later than 2 years after the date of enactment of this title, the Commission shall submit to Congress and the President—

(A) a report that reviews and analyzes according to the criteria established under subsection (a)(4) for each agency and program to be reviewed in the year in which the report is submitted under the schedule submitted to Congress under subsection (a)(1);

(B) a proposal, if appropriate, to reauthorize, reorganize, consolidate, expand, or transfer the Federal agencies that are required to be reviewed in the year in which the report is submitted under the schedule submitted to Congress under subsection (a)(1); and

(C) legislative proposals that are necessary to implement the Commission’s proposal and recommendations.

(2) Additional reports.—The Commission shall submit to Congress and the President additional reports as prescribed under paragraph (1) on or before June 30 of every other year.

(d) Rule of construction.—Nothing in this section shall be construed to limit the power of the Commission to review any Federal program or agency.

(e) Affirmative reports.—The Commission Schedule and Review bill and all other legislative proposals and reports submitted under this section shall require the approval of not less than five members of the Commission.

SEC. 05. EXPEDITED CONSIDERATION OF COMMISION RECOMMENDATIONS.—

(a) Introduction and Committee Consideration.—

(1) Introduction.—If any legislative proposal with provisions is submitted to Congress, with such proposal and provisions shall be introduced in the Senate by the majority leader and in the House of Representatives, by the Speaker of the House.

(2) Committee Consideration.—Not later than 30 calendar days after the introduction of the bill, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the House of Representatives, shall report the bill to the Senate and House involved a bill, whichever is earlier.

(b) Roll Call Vote.—In the Senate, an amendment, if any amendment to the bill is in order and is not debatable. All time used for quorum calls (except quorum calls made during the consideration of the bill) is privileged in the Senate and is not debatable.

(c) Committee Vote.—In the House, an amendment, if any amendment to the bill is in order and is not debatable. All time used for quorum calls (except quorum calls made during the consideration of the bill) is privileged in the House and is not debatable.

(d) Amendment to a Motion to Reconsider.—In the House, an amendment to a motion to reconsider the vote by which the motion to reconsider the vote by which the motion to consider the bill to the bill is in order and is not debatable.

(e) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(f) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.

(g) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(h) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.

(i) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(j) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.

(k) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(l) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.

(m) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(n) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.

(o) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(p) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.

(q) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(r) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.

(s) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(t) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.

(u) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(v) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.

(w) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(x) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.

(y) Vote on Final Passage.—In the Senate, the motion to proceed to the consideration of the bill is in order and is not debatable.

(z) Vote on Final Passage.—In the House, the motion to proceed to the consideration of the bill is in order and is not debatable.
(B) the procedure in the House in receipt of the bill of the other House, with respect to the bill that was introduced in the House in receipt of the bill of the other House, shall be the same as if the bill had been received from the other House; and

(C) notwithstanding subparagraph (B), the vote on final passage shall be on the bill of the other House.

Upon disposition of a bill that is received by one House from the other House, it shall no longer be in order to consider the bill that was introduced in the House in receipt of the bill of the other House.

(3) Consideration in conference.—

(A) CONVENING OF CONFERENCE.—Immediately following disposition of a bill, consideration of amendments in conference results in a disagreement between the two Houses of Congress with respect to a bill, conferees shall be appointed and a conference report shall be considered.

(B) ACTION ON CONFERENCE REPORTS IN THE SENATE.—

(i) MOTION TO PROCEED.—The motion to proceed to consideration in the Senate of the conference report on a bill may be made even though a previous motion to the same effect has been disposed of.

(ii) CONSIDERATION.—Consideration in the Senate of the conference report (including a message between Houses) on a bill, and all amendments in disagreement, including all amendments in the bill and all debatable amendments and appeals in connection therewith, shall be limited to 20 hours, equally divided and controlled by the majority leader and the minority leader; and on any debatable motion or appeal related to the conference report (or a message between Houses) shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report (or a message between Houses).

(iii) VOTING.—Should the conference report be defeated, debate on any request for a new conference and the appointment of conferees shall be limited to 1 hour, to be equally divided between, and controlled by, the majority leader and the minority leader's designee.

(iv) AMENDMENTS.—In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the majority leader and the minority leader's designee. No amendment that is not germane to the provisions of such amendments shall be received.

(v) LIMITATION ON MOTION TO RECOMMIT.—A motion to reconsider the conference report is not in order.

(c) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(ii) with full recognition of the constitutional right of either House to change the rules with respect to the procedure in that House at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 90. EMERGENCY CONSIDERATION OF COMMISSION SCHEDULE AND REVIEW BILL.

(a) INTRODUCTION AND COMMITTEE CONSIDERATION.—

(1) INTRODUCTION.—The Commission Schedule and Review bill submitted under section 29(b) shall be introduced in the Senate by the majority leader, on the majority leader's designee, and the Speaker of the Representatives, by the Speaker, or the Speaker's designee.

Upon such introduction, the Committee of Jurisdiction in the Senate, any appropriate committee of jurisdiction in the House of Representatives, the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives, shall refer the bill to the appropriate committee of jurisdiction in the House of Representatives.

(2) COMMITTEE CONSIDERATION.—

(A) REFERRAL.—A Commission Schedule and Review bill introduced under paragraph (1) shall be referred to any appropriate committee of jurisdiction in the Senate, any appropriate committee of jurisdiction in the House of Representatives, the Committee on the Budget and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives. A committee of jurisdiction of the House or Senate that has previously referred the Commission Schedule and Review bill is referred under this paragraph may review and comment on such bill, may report such bill to the respective House, and may not amend such bill.

(B) REPORTING.—Not later than 30 calendar days after the introduction of the Commission Schedule and Review bill, each Committee of Jurisdiction of the House or Senate that has previously referred the Commission Schedule and Review bill was referred shall report the bill.

(C) DISCHARGE OF COMMITTEE.—If a committee to which a Commission Schedule and Review bill has not reported such Commission Schedule and Review bill at the end of 30 calendar days after its introduction, the majority leader of the House, the majority leader of the Senate, or the Speaker of the House, may, in order to expedite consideration of such Bill, discharge the committee to which the Commission Schedule and Review bill was referred.

(d) AMENDMENTS.—No amendment to the Commission Schedule and Review bill shall be in order in the Senate and the House of Representatives.

(e) VOTE ON FINAL PASSAGE.—Immediately following the conclusion of consideration of the Commission Schedule and Review bill, the vote on final passage of the Commission Schedule and Review bill shall occur.

(f) OTHER MOTIONS NOT IN ORDER.—A motion to postpone consideration of the Commission Schedule and Review bill is not in order. A motion to reconsider the vote by which the Commission Schedule and Review bill is agreed to or not agreed to shall not be in order if the motion to proceed to the consideration of the Commission Schedule and Review bill is not in order. A motion to reconsider the vote by which the Commission Schedule and Review bill was defeated is not in order. A motion to reconsider the vote by which the Commission Schedule and Review bill was amended is not in order.

(g) CONSIDERATION BY OTHER HOUSE.—If, before the passage by one House of the Commission Schedule and Review bill that was referred to the other House, the other House—

(A) the Commission Schedule and Review bill of the other House shall no longer be in order to consider the consideration of a Commission Schedule and Review bill is highly privileged in the House of Representatives and is privileged in the Senate, and the Senate and House shall be notified of the disposition of such bill. The motion is not subject to amendment, to a motion to postpone consideration of the Commission Schedule and Review bill, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion to proceed is agreed to or not agreed to shall not be in order if the motion to proceed to the consideration of the Commission Schedule and Review bill is not in order. A motion to reconsider the vote by which the Commission Schedule and Review bill was defeated is not in order. A motion to reconsider the vote by which the Commission Schedule and Review bill was amended is not in order. A motion to reconsider the vote by which the Commission Schedule and Review bill was passed is not in order. A motion to reconsider the vote by which the Commission Schedule and Review bill was passed is not in order.

(h) REPORTS OF THE APPROPRIATIONS COMMITTEE.—This section is enacted by Congress—

(i) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill, and it supersedes other rules only to the extent that it is inconsistent with such rules; and
(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the Senate, and is to be followed in that House in the case of a Commission Schedule and Review bill, and it supersedes other rules only to the extent that it is not in conflict with them.

(2) with full recognition of the constitutional right of either House to change the rules so far as they relate to the procedure of that House, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 187. Mr. Pryor (for himself and Mr. Brown of Massachusetts) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; this was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 504. ANGEL INVESTMENT TAX CREDIT.**

(a) In General.—Subpart B of part IV of subchapter B of chapter 1 of subpart A of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

**SEC. 30E. ANGEL INVESTMENT TAX CREDIT.**

(a) ALLOWANCE OF CREDIT.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 25 percent of the qualified equity investments made by a qualified investor during the taxable year.

(b) QUALIFIED EQUITY INVESTMENT.—For purposes of this section—

(1) IN GENERAL.—The term 'qualified equity investment' means any equity investment in a qualified small business entity if—

(A) such investment is acquired by the taxpayer at its original issue (directly or through an underwriter) solely in exchange for cash, and

(B) such investment is designated for purposes of this subsection by the qualified small business entity.

(2) EQUITY INVESTMENT.—The term 'equity investment' means—

(A) any capital interest in an entity permitted to be treated as an equity investment under this section, or

(B) any capital interest in an entity permitted to be treated as an equity investment under this section, but not otherwise treated as a capital interest, as those terms are defined in section 39(d) of the Code.

(3) QUALIFIED INVESTOR.—For purposes of this section—

(1) IN GENERAL.—The term 'qualified investor' means an accredited investor, as defined by the Securities and Exchange Commission, investor network, or investor fund who review new or proposed businesses for potential investment.

(2) INVESTOR NETWORK.—The term 'investor network' means a group of accredited investors organized for the sole purpose of making qualified equity investments.

(3) INVESTOR FUND.—The term 'investor fund' means a group of accredited investors organized for the sole purpose of making qualified equity investments.

(b) LIMITATION BASED ON AMOUNT OF TAX.—In the case of a taxable year to which section 1400B does not apply, the credit allowed under subpart A for any taxable year (determined without regard to this subsection) shall be treated as a credit listed in section 38(b) for such taxable year (and shall not be allowed under subsection (a)).

(c) PERSONAL CREDIT.—

(A) IN GENERAL.—In the case of an individual who elects the application of this paragraph for purposes of this title, the credit allowed under subsection (a) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.

(B) LIMITATION ON AMOUNT OF TAX.—In the case of a taxable year to which section 1400B does not apply, the credit allowed under subpart A for any taxable year (determined after application of paragraph (1)) by reason of subparagraph (A) shall not exceed the excess of—

(i) the sum of the regular tax liability (as defined in section 26(b)) plus the tax imposed by section 55, over

(ii) the sum of the credits allowable under subpart A (other than this section) and section 27 for the taxable year.

(C) CARRYFORWARD OF UNUSED CREDIT.—If the credit allowed under subsection (a) by reason of subparagraph (A) exceeds the limitation imposed by section 26(a)(1) or subparagraph (B), whichever is applicable, for such taxable year, such excess shall be carried forward to the extent that such unused credit may not be taken into account under subsection (a) by reason of subsection (b) for any taxable year (determined after application of paragraph (1)) shall be treated as a credit allowable under subpart A for such taxable year.

(d) SPECIAL RULES.

(1) RELATED PARTIES.—For purposes of this section—

(A) IN GENERAL.—All related persons shall be treated as 1 person.

(B) RELATED PERSONS.—A person shall be treated as related to another person if the relationship between such persons would result in the disallowance of losses under section 267 or 707(b).

(2) BASIS.—For purposes of this subtitile, the basis of any investment with respect to which a credit is allowable under this section shall be reduced by the amount of such credit it so allowed. This subsection shall not apply to credits allowed under purposes of sections 1220, 1231(b), and 1402(b).

(e) RECAPITULATION.—The Secretary shall, by regulations, provide for recapturing the benefits of any credit allowed under purposes of sections 38, 1221(b), and 1402(b).
than 3 years, except that no benefit shall be recaptured in the case of—

(A) transfer of such investment by reason of the death of the taxpayer,

(B) transfer of such investment by reason of marriage or the death of a spouse, or

(C) transfer incident to the divorce (as defined in section 1041) of such taxpayer, or

(D) a transaction to which section 381(a) applies in a change in the ownership of the assets of one corporation by another corporation.

"(b) REGULATIONS.—The Secretary shall prescribe such regulations as may be appropriate to carry out this section, including regulations—

(1) which prevent the abuse of the purposes of this section,

(2) which impose appropriate reporting requirements, and

(3) which apply the provisions of this section to newly formed entities."

"Sec. 30E. Angel investment tax credit."

"(a) In General.—A part of I of subchapter D of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 408A the following new section:

"SEC. 408B. SMALL BUSINESS SAVINGS ACCOUNTS.

"(1) General Rule.—Except as provided in this section, a Small Business Savings Account shall be treated for purposes of this title in the same manner as an individual retirement plan.

"(B) SMALL BUSINESS SAVINGS ACCOUNT.—For purposes of this title, the term 'Small Business Savings Account' means a tax-preferred savings plan which is designated at the time of establishment of the plan as a Small Business Savings Account. Such designation shall be made in such manner as the Secretary may prescribe.

"(c) TREATMENT OF CONTRIBUTIONS.—

"(1) NO DEDUCTION ALLOWED.—No deduction shall be allowed under section 219 for a contribution to a Small Business Savings Account.

"(2) CONTRIBUTION LIMIT.—(A) IN GENERAL.—The aggregate amount of contributions for any taxable year to all Small Business Savings Accounts maintained for the benefit of an individual shall not exceed $150,000.

"(B) AGGREGATE LIMITATION.—The aggregate of the amounts which may be taken into account under subparagraph (A) for all taxable years with respect to all Small Business Savings Accounts maintained for the benefit of an individual shall not exceed $150,000.

"(D) COST OF LIVING ADJUSTMENT.—The Secretary shall adjust annually the $150,000 amount in subparagraph (A) for increases in the cost-of-living at the same time and in the same manner as the calendar year beginning after the calendar quarter beginning July 1, 2011, and any increase which is not a multiple of $500 shall be rounded to the next lowest multiple of $500.

"(3) CONTRIBUTIONS PERMITTED AFTER AGE 701/2.—Contributions to a Small Business Savings Account may be made even after the individual for whom the account is maintained has attained age 701/2.

"(4) ROLLOVERS FROM RETIREMENT PLANS NOT ALLOWED.—A taxpayer shall not be allowed to make a qualified rollover contribution to a Small Business Savings Account from any qualified retirement plan (as defined in section 4975(c)).

"(d) DISTRIBUTION RULES.—For purposes of this title—

"(1) GENERAL RULES.—

"(A) LIMITATIONS ON DISTRIBUTIONS.—All qualified distributions from a Small Business Savings Account—

"(i) shall be limited to a single business, and

"(ii) must be disbursed not later than the last day of the 5th taxable year beginning after the initial disbursement.

"(B) EXCLUSIONS FROM GROSS INCOME.—Any qualified distribution from a Small Business Savings Account shall not be includible in gross income.

"(2) QUALIFIED DISTRIBUTION.—For purposes of this subsection, the term 'qualified distribution' means any payment or distribution made for operating capital, the purchase of equipment or facilities, marketing, training, incorporation, and accounting fees.

"(3) NONQUALIFIED DISTRIBUTIONS.—

"(A) IN GENERAL.—In applying section 72 to any distribution from a Small Business Savings Account which is not a qualified distribution, such distribution shall be treated as made from contributions to the Small Business Savings Account to the extent that such distribution, when added to all previous distributions from the Small Business Savings Account, does not exceed the aggregate amount of contributions to the Small Business Savings Account.

"(B) TREATMENT OF AMOUNTS REMAINING IN ACCOUNT.—Any remaining amount in a Small Business Savings Account following the date described in paragraph (1)(A)(ii) shall be treated as distributed during the taxable year in which such date and such distribution shall not be treated as a qualified distribution."
‘(4) ROLLOVERS TO A ROTH IRA.—Subject to the application of the treatment of contributions in section 408A(c), distributions from a Small Business Savings Account may be rolled over into a Roth IRA.’.

(b) Excess Contributions.—Section 4973 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

‘(h) Excess Contributions to Small Business Savings Accounts.—For purposes of this section, in the case of contributions to all Small Business Savings Accounts (within the meaning of section 408B(b)) maintained for the benefit of an individual, the term ‘excess contributions’ means the sum of—

(1) the excess, if any, of—

(A) the amount contributed to such accounts for the taxable year, over

(B) the amount allowable as a contribution under section 408B(c)(2) for such taxable year, and

(2) the amount determined under this subsection, the preceding taxable year, reduced by the sum of—

(A) the distributions out of the accounts for the taxable year, and

(B) the excess, if any, of—

(1) the maximum amount allowable as a contribution under section 408B(c)(2) for such taxable year, over

(ii) the amount contributed to such accounts for such taxable year.’.

(c) Conforming Amendment.—The table of sections for part A of part I of subchapter D of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 408A the following new item:

‘Sec. 408B. Small Business Savings Accounts.’.

(d) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2010.

SEC. 505. REDUCTION OF GOVERNMENT PRINTING COSTS.

(a) Strategy and Guidelines.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the Executive departments and independent establishments, as those terms are defined in chapter 1 of title 5, United States Code:

(1) to develop a strategy to reduce Government printing costs during the 10-year period beginning with the fiscal year 2011; and

(2) to issue Government-wide guidelines for printing that implements the strategy developed under paragraph (1).

(b) Consultations.—

(1) In General.—In developing the strategy under subsection (a)(1), the Director of the Office of Management and Budget and the heads of the Executive departments and independent establishments shall consider guidelines for—

(A) duplex and color printing;

(B) the use of digital file systems by Executive departments and independent establishments; and

(C) determining which Government publications might be made available on Government Web sites instead of being printed.

(2) Essential Printed Documents.—The Director of the Office of Management and Budget shall ensure that printed versions of documents that the Director determines are essential to individuals—

(A) who are entitled to or enrolled for benefits under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and

(B) who are enrolled for benefits under part B of such title.

(3) Receptive Old-Age Survivors’ or Disability Insurance Payments under Title II of such Act (42 U.S.C. 401 et seq.), or

(d) who have limited ability to use or access the Internet, are available after the issuance of the guidelines under subsection (a)(2).

SA 189. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 73, after line 23, add the following:

SEC. 2. INITIATIVE TO PUBLICIZE THE SBIR PROGRAMS AND STTR PROGRAMS TO VETERANS.

The Administrator, in consultation with the Secretary of Veterans Affairs, shall develop an initiative to publicize the SBIR programs and STTR programs of the Federal agencies to veterans recently separated from service in the Armed Forces;

and to encourage veterans with applicable technical skills to apply for awards under the SBIR programs and STTR programs of the Federal agencies.

SA 190. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 3. PROVIDING EXPLANATIONS TO UNSUCCESSFUL APPLICANTS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

‘(nn) PROVIDING EXPLANATIONS TO UNSUCCESSFUL APPLICANTS.—Each Federal agency required to carry out an SBIR program or STTR program shall—

(1) include in each solicitation relating to a contract awarded under the SBIR program or STTR program a notice in plain language stating that a small business concern that responds to the solicitation and is not awarded the contract may request from the Federal agency an explanation of the reasons the small business concern was not awarded the contract; and

(2) upon request, provide to a small business concern an explanation of the reasons the small business concern was not awarded a contract under the SBIR program or STTR program.’.

SA 191. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 4. SUBCONTRACTOR NOTIFICATIONS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

‘(13) NOTIFICATION REQUIREMENT.—

(A) IN GENERAL.—An offeror with respect to a contract let by a Federal agency that is to be awarded pursuant to the negotiated procurement method of procurement that intends to identify a small business concern as a potential subcontractor in the offer relating to the contract shall—

(i) notify the small business concern that the offeror intends to identify the small business concern as a potential subcontractor in the offer; and

(ii) include with the offer a written acknowledgment by the small business concern that the small business concern has received the notice required under clause (i).

(B) PENALTIES.—If an offeror fails to notify a small business concern under subparagraph (A)(i), the head of the Federal agency that let the contract described in subparagraph (A) shall—

(i) for the first such failure by the offeror, fine the offeror, in an amount equal to 20 percent of the value of the contract;

(ii) for the second such failure by the offeror—

(I) fine the offeror, in an amount equal to 50 percent of the value of the contract; and

(II) bar the offeror from contracting with the United States for a period of 1 year;

and

(iii) for the third such failure by the offeror—

(I) fine the offeror, in an amount equal to 50 percent of the value of the contract; and

(II) debar the offeror from contracting with the United States.

(14) REPORTING BY SUBCONTRACTORS.—The Administrator shall establish a reporting mechanism that allows a subcontractor to report fraudulent activity by a contractor with respect to a subcontracting plan submitted to a procurement authority under paragraph (4)(B).’.

SA 192. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page , between lines and , insert the following:

SEC. 5. MINORITY BUSINESS DEVELOPMENT PROGRAM.

(a) Definitions.—In this section:

(1) HISTORICALLY DISADVANTAGED INDIVIDUAL.—The term ‘historically disadvantaged individual’ means any individual who satisfies each of the following:

(A) Not less than 51 percent of the entity is directly and unconditionally owned or controlled by historically disadvantaged individuals.

(B) Each officer or other individual who exercises control over the regular operations of the entity is a historically disadvantaged individual.

(C) The net worth of each principal of the entity is not greater than $2,000,000. (The equity of a disadvantaged owner in a primary personal residence shall be considered in this calculation.)

(D) The principal place of business of the entity is in the United States.

(E) Each principal of the entity maintains good character in the determination of the Director.

(F) The entity engages in competitive and bona fide commercial business operations in not less than one sector of industry that has...
a North American Industry Classification System code.

(G) The entity submits reports to the Director at such time, in such form, and containing such information as the Director may require.

(H) Any additional requirements that the Director determines appropriate.

(2) PROCUREMENT POWERS.—A certification under this subsection shall be for a term of 5 years and may not be renewed.

(d) SET-ASIDE CONTRACTING OPPORTUNITIES.—

(1) IN GENERAL.—The Director may enter into agreements with the United States Government and any department, agency, or officer thereof having procurement powers for purposes of providing for the fulfillment of procurement contracts and providing opportunities for qualified minority businesses with regard to such contracts.

(2) QUALIFICATIONS ON PARTICIPATION.—The Director shall by rule establish requirements for participation under this section by a qualified minority business in a contract.

(3) ANNUAL LIMIT ON NUMBER OF CONTRACTS PER QUALIFIED MINORITY BUSINESS.—A qualified minority business may not participate under this section in contracts in an amount that exceeds $10,000,000 for goods and services each fiscal year.

(4) LIMITS ON CONTRACT AMOUNTS.—

(A) GOODS AND SERVICES.—Except as provided in paragraph (B), a contract for goods and services under this subsection may not exceed $6,000,000.

(B) MANUFACTURING AND CONSTRUCTION.—A contract for manufacturing and construction services under this subsection may not exceed $6,000,000.

(C) TERMINATION FROM THE PROGRAM.—The Director may terminate a qualified minority business from the Program for any violation of a requirement of subsections (c) and (d) by that qualified minority business, including the following:

(1) Conduct by a principal of the qualified minority business that indicates a lack of business integrity.

(2) Willful failure to comply with applicable labor standards and obligations.

(3) Consistent failure to tender adequate performance with regard to contracts under the Program.

(4) Failure to obtain and maintain relevant certifying documents.

(5) Failure to pay outstanding obligations owed to the Federal Government.

SA 193. Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. COBURN, Mr. WEBB, and Mr. KERRY) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the end of title V, add the following:

SEC. 504. NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION.


(b) Comparative On-And after the date of enactment of this Act, the National Veterans Business Development Corporation and any successor thereto may not represent that the corporation is federally chartered or incorporated in any other manner authorized by the Federal Government.

(c) CONFORMING AMENDMENTS.—

(1) ALTERNATIVE BUSINESS.—The Small Business Act (15 U.S.C. 631 et seq.), as amended by this Act, is amended—

(A) by redesignating sections 54 through 55 as sections 54 through 55, respectively;

(B) in section 9(k)(1)(D) (15 U.S.C. 638(k)(1)(D)), as amended by section 201(b)(3) of this Act, by striking “section 34(d)” and inserting “section 33(d)”; and

(C) in section 9(s), as added by section 201(a) of this Act:

(i) by striking “section 34” each place it appears and inserting “section 33”;

(ii) in paragraph (1)(E), by striking “section 34(e)” and inserting “section 33(e)”; and

(iii) by striking “section 34(d)” and inserting “section 33(d)”;

(D) in section 35(d) (15 U.S.C. 657(d)), as so redesignated and as amended by section 201(b)(5), by striking “section 42” and inserting “section 41”; and

(E) in section 38(d) (15 U.S.C. 657(d)), as so redesignated and as amended by section 201(b)(6) of this Act, by striking “section 42” and inserting “section 41”; and

(F) in section 39(b) (15 U.S.C. 657m(b)), as so redesignated and as amended by section 201(b)(7) of this Act, by striking “section 42” and inserting “section 41”.

(2) THIS ACT.—

(A) IN GENERAL.—The amendments made by section 238(b) of this Act shall have no force or effect.

(B) PROSPECTIVE REPEAL OF THE SMALL BUSINESS INNOVATION RESEARCH PROGRAM.—Effective 5 years after the date of enactment of this Act, the Small Business Act (15 U.S.C. 631 et seq.) is amended by striking “In cooperation with the National Veterans Business Development Corporation, developing ‘Develop’.”

(4) TITLE III.—Section 1142(b)(13) of title 10, United States Code, is amended by striking “‘the National Veterans Business Development Corporation’”.

(5) TITLE III.—Section 3452(h) of title 38, United States Code, is amended by striking “any of the” and all that follows and inserting “any small business development center as described in section 21 of the Small Business Act (15 U.S.C. 648), insofar as such center offers, sponsors, or cosponsors an entrepreneurship course, as the term is defined in section 3673(c)(2)(A).”

SA 194. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 4. AGENCY ASSESSMENT OF SIGNIFICANT REGULATORY ACTIONS.

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Office of Information and Regulatory Affairs in the Office of Management and Budget;

(2) the term “agency” has the same meaning as in section 302(1) of title 44, United States Code;

(3) the term “disseminated”—

(A) means prepared by an agency and distributed to the public or regulated entities; and

(B) does not include—

(i) distribution limited to Federal Government employees;

(ii) intra- or interagency use or sharing of Federal Government information; and

(iii) responses to requests for agency records under section 552 of title 5, United States Code (commonly referred to as the ‘‘Freedom of Information Act’’), section 52a of title 5, United States Code (commonly referred to as the ‘‘Privacy Act’’), the Federal Advisory Committee Act (5 U.S.C. App.), or other similar laws;

(B) the term ‘‘guidance document’’ means an agency statement of general applicability and future effect, other than a regulatory action, that sets forth a policy on a statutory, regulatory, or technical issue, or an interpretation of a statutory or regulatory issue; and

(2) the term ‘‘regulatory action’’ means any substantive action by an agency (normally published in the Federal Register) that promulgates or is expected to lead to the promulgation of a final regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking;

(C) the term ‘‘significant guidance document’’ means—

(i) a guidance document disseminated to regulated entities or the general public that may reasonably be anticipated to—

(I) lead to an annual effect on the economy of $100,000,000 or more or affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(II) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(III) raise novel legal or policy issues arising out of legal mandates and the priorities, principles, and provisions of this section; and

(B) does not include—

(i) (I) legal advisory opinions for internal Executive Branch use and not for release (such as Department of Justice Office of Legal Counsel opinions);

(ii) briefs and other positions taken by agencies in investigations, pre-litigation, litigation, or other enforcement proceedings; and

(iii) speeches;

(iv) editorials;

(v) media interviews;

(vi) press materials;

(vii) congressional correspondence; and

(viii) guidance documents that pertain to a military or foreign affairs function of the United States (other than guidance on procurement or the import or export of non-defense articles and services); and

(2) grant solicitations;

(3) warning letters; and

(xi) case or investigatory letters responding to complaints involving fact-specific determinations;

(xii) purely internal agency policies;

(xiii) guidance documents that pertain to the use, operation or control of a governmental facility;

(xiv) internal guidance documents directed solely to other agencies; and

(xx) any other category of significant guidance documents exempted by an agency head in consultation with the Administrator; and

(B) the term ‘‘significant regulatory action’’ means any regulatory action that is likely to result in a regulation that may—

(A) have an annual effect on the economy of $100,000,000 or more or adversely affect in
a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; or

(B) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(C) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(D) significantly reduce or delay the availability of legal mandates and the priorities, principles, and provisions of this section.

(2) AGENCY ASSESSMENT OF SIGNIFICANT REGULATORY ACTIONS.—For each significant regulatory action, each agency shall submit, at such times specified by the Administrator, a report to the Office of Information and Regulatory Affairs that includes—

(A) an assessment, including the underlying analysis, of benefits anticipated from the regulatory action, such as—

(i) the promotion of the efficient functioning of the economy and private markets;

(ii) the enhancement of health and safety; and

(iii) the protection of the natural environment; and

(B) the elimination or reduction of discrimination or bias;

(C) a quantification, to the extent feasible, of the costs assessed under paragraph (1); and

(D) any adverse effects on the efficient functioning of the economy, private markets (including productivity, employment, and competitiveness), health, safety, the natural environment, job creation, the prices of consumer goods, and energy costs;

(E) an assessment, including the underlying analysis, of costs anticipated from the regulatory action;

(F) a written notice of the decision of the agency with respect to the request, together with the reasons for the decision, to the Regional Advocate that made the request and the relevant small entity.

(3) The Regional Counsel for Advocacy shall submit to Congress an annual report summarizing—

(A) the requests received by the Regional Advocates from small entities under subsection (a); and

(B) the requests submitted by the Regional Advocates to agencies under subsection (a) and the results of the requests.

(4) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 6 of title 5, United States Code, is amended by adding at the end the following:

‘‘613. Reduction or waiver of civil penalties imposed on small entities.’’

SEC. 4. REDUCTION OR WAIVER OF CIVIL PENALTIES IMPOSED ON SMALL ENTITIES.

(a) In General.—Chapter 6 of title 5, United States Code, is amended by adding at the end the following:

‘‘613. Reduction or waiver of civil penalties imposed on small entities.

‘‘(a) Upon the request of a small entity, a Regional Advocate of the Office of Advocacy of the Small Business Administration (referred to in this section as a ‘Regional Advocate’)) shall submit to an agency a request that the agency reduce or waive a civil penalty imposed on the small entity, if the Regional Advocate certifies that—

‘‘(1) the civil penalty was the result of a first-time violation by the small entity of a requirement to report information to the agency; and

‘‘(2) the reduction or waiver is consistent with the conditions and exclusions described in paragraphs (4), (5), and (6) of section 228(b) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121; 110 Stat. 862).

‘‘(b) Not later than 60 days after the receipt of a request from a Regional Advocate under subsection (a), an agency shall send written notice of the decision of the agency with respect to the request, together with the reasons for the decision, to the Regional Advocate that made the request and the relevant small entity.

‘‘(c) The Chief Counsel for Advocacy shall report to Congress an annual report summarizing—

‘‘(1) the requests received by the Regional Advocates from small entities under subsection (a); and

‘‘(2) the requests submitted by the Regional Advocates to agencies under subsection (a) and the results of the requests.

‘‘(d) The Office of Information and Regulatory Affairs that includes—

‘‘(1) an assessment, including the underlying analysis, of benefits anticipated from the regulatory action; and

‘‘(2) an assessment, including the underlying analysis, of costs anticipated from the regulatory action.

(b) Agency assessment of significant regulatory actions—

(A) means a guidance document disseminated to regulated entities or the general public that may reasonably be anticipated to—

(i) lead to an annual effect on the economy of $ 100,000,000 or more or affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(ii) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(iii) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(iv) raise novel legal or policy issues arising out of legal mandates and the priorities, principles, and provisions of this section; and

(B) does not include—

(i) preliminary staff reports or other similar documents;

(ii) any other category of guidance documents that pertain to a military or foreign affairs function of the United States (other than guidance on procurement or the import or export of non-defense articles and services);

(iii) grants, user fees, or loan programs or the rights and obligations of recipients thereof;

(iv) any other category of significant guidance documents exempted by an agency head in consultation with the Administrator; and

(v) any other category of significant guidance documents that are likely to result in a regulation that may—

(A) have an annual effect on the economy of $ 100,000,000 or more or adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; or

(B) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency.

(c) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(d) raise novel legal or policy issues arising out of legal mandates and the priorities, principles, and provisions of this section.

(1) The term ‘‘significant regulatory actions’’ means—

(A) an agency statement of general applicability and future effect, other than a regulatory action that is based on a statutory, regulatory or technical issue or an interpretation of a statutory or regulatory rule; and

(B) a written notice of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking.

(2) The term ‘‘significant guidance document’’ means a guidance document disseminated to regulated entities or the general public that may reasonably be anticipated to—

(A) lead to an annual effect on the economy of $ 100,000,000 or more or affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(B) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(C) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(D) raise novel legal or policy issues arising out of legal mandates and the priorities, principles, and provisions of this section.
at such times specified by the Administrator, a report to the Office of Information and Regulatory Affairs that includes—
(1) an assessment, including the underlying analytical framework, that the significant regulatory action, such as—
(A) the promotion of the efficient functioning of the economy and private markets;
(B) the protection of health and safety; and
(C) the elimination or reduction of discrimination against—
(2) to the extent feasible, a quantification of the benefits assessed under paragraph (1);
(3) an assessment, including the underlying analysis, of costs anticipated from the regulatory action, such as—
(A) the direct cost both to the Federal Government in administering the significant regulatory action and to businesses, consumers, and others (including State, local, and tribal officials) in complying with the regulation; and
(B) any adverse effects on the efficient functioning of the economy, private markets (including productivity, employment, and competitiveness), health, safety, the natural environment, the prices of consumer goods, and energy costs;
(4) to the extent feasible, a quantification of the costs assessed under paragraph (3); and
(a) the method is the underlying analysis, of costs and benefits of potentially effective and reasonably feasible alternatives to the planned significant regulatory action, identified by the agency or the public (including improving the current regulation and reasonably viable nonregulatory actions), and an explanation why the planned regulatory action is preferable to the identified potential alternatives.
(c) AGENCY GOOD GUIDANCE PRACTICES.—
(A) AGENCY STANDARDS FOR SIGNIFICANT GUIDANCE DOCUMENTS.—
(B) APPROVAL PROCEDURES.—
(i) in general.—Each agency shall develop or have written procedures for the approval of significant guidance documents, which shall ensure that the issuance of significant guidance documents is approved by appropriate senior agency officials;
(ii) a request for issuance, reconsideration, modification, or rescission of significant guidance documents.
(d) AGENCY RESPONSIBILITY.—
(i) in general.—Each agency shall designate an office to receive and address comments from the public relating to—
(aa) the failure of the agency to follow the procedures described in this section; or
(bb) the failure to treat a significant guidance document as a binding requirement.
(ii) public feedback.—The agency shall provide, on the website of the agency, the name and contact information for the office designated under clause (I).
(3) Notice and Public Comment for Economically Significant Guidance Documents.—
(A) in general.—Except as provided in paragraph (2), in preparing a draft of an economically significant guidance document, and before issuance of the final significant guidance document, the agency shall—
(i) publish a notice in the Federal Register announcing that the draft document is available;
(ii) post the draft document on the Internet and make a tangible copy of that document publicly available (or notify the public how the public can review the guidance document, if in a format that permits such electronic posting with reasonable efforts);
(iii) invite public comment on the draft document;
(iv) prepare and post on the website of the agency a document with responses of the agency to public comments.
(B) Consultation with the Administrator.—In consultation with the Administrator, an agency head may identify a particular economically significant guidance document or category of such documents for which the procedures of this subsection are not feasible or appropriate.
(e) Emergencies.—
(I) in general.—In emergency situations or when an agency is obligated by law to act more quickly than normal review procedures allow, the agency shall notify the Administrator as soon as possible and, to the extent practicable, comply with this subsection.
(II) significant guidance documents subject to statutory or court-imposed deadlines.—A significant guidance document that is governed by a statutory or court-imposed deadline, the agency shall, to the extent practicable, schedule the proceedings of such document. which was ordered to lie on the table; as follows:
At the end of title V, add the following:
SEC. 504. EFFECTIVE DATE OF PPACA.
(a) in general.—Notwithstanding any other provision of law, the provisions of the Patient Protection and Affordable Care Act (Public Law 111–148) and the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), including the amendments made by such Acts, that are not in effect on the date of enactment of this Act shall not be in effect until the date on which final judgment is entered in all cases challenging the constitutionality of the requirement to maintain minimum essential coverage under section 5000A of the Internal Revenue Code of 1986 that are pending before a Federal court on the date of enactment of this Act.
(b) PROMULGATION OF REGULATIONS.—Notwithstanding any other provision of law, the Federal Government shall not promulgate regulations under the Patient Protection and Affordable Care Act (Public Law 111–148) or the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), including the amendments made by such Acts, or otherwise prepare to implement such Acts (or amendments made by such Acts), until the date on which final judgment is entered in all cases challenging the constitutionality of the requirement to maintain minimum essential coverage under section 5000A of the Internal Revenue Code of 1986 that are pending before a Federal court on the date of enactment of this Act.
SEC. 5 . EXTENSION OF CERTAIN OUTER CONTINENTAL SHELF LEASES.
(a) DEFICIENCY IN CERTIFICATION.—In this section, the term ‘‘covered lease’’ means each oil and gas lease for the Gulf of Mexico outer Continental Shelf region issued under section 3 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) that was—
(1) not producing as of April 30, 2010; or
(2) suspended from operations, permit cancellation, or other provision of law, the provisions of the Interior entitled ‘‘Decision memorandum regarding the suspension of certain
offshore permitting and drilling activities on the Outer Continental Shelf” and dated July 12, 2010.

(b) EXTENSION OF COVERED LEASES.—The Secretary of the Interior shall extend the term of a covered lease by 1 year.

(c) EFFECT ON SUSPENSIONS OF OPERATIONS OR PRODUCTION.—The extension of covered leases for fiscal year 2011 is in addition to any suspension of operations or suspension of production granted by the Minerals Management Service or Bureau of Ocean Energy Management, Regulation and Enforcement after May 1, 2010.

SA 199. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE
—CUT FEDERAL SPENDING ACT OF 2011

SEC. 01. SHORT TITLE AND DEFINITION.
(a) SHORT TITLE.—This title may be cited as the “Cut Federal Spending Act of 2011”.
(b) DROP-OUT.—In this Act, the term “drop-out” with respect to an agency or program means—
(1) all unobligated balances of the discretionary appropriations, including any appropriations under this Act, made available to the agency or program and rescinded; and
(2) any statute authorizing the funding or activities of the agency or program is deemed to be repealed.

SEC. 02. LEGISLATIVE BRANCH.
Amounts made available to the Legislative branch for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $654,000,000.

SEC. 03. JUDICIAL BRANCH.
Amounts made available to the Judicial branch for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,247,000,000.

SEC. 04. AGRICULTURE.
Amounts made available to the Department of Agriculture for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,427,000,000.

SEC. 05. COMMERCE.
Amounts made available to the Department of Commerce for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $2,700,000,000.

SEC. 06. DEFENSE.
Amounts made available to the Department of Defense for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $30,000,000,000.

SEC. 07. EDUCATION.
Amounts made available to the Department of Education for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $46,258,000,000, except for the Pell grant program which shall be capped at $17,000,000,000.

SEC. 08. ENERGY.
Amounts made available to the Department of Energy for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $9,602,000,000.

SEC. 09. HEALTH AND HUMAN SERVICES.
Amounts made available to the Department of Health and Human Services for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $26,510,000,000.

SEC. 10. HOMELAND SECURITY.
Amounts made available to the Department of Homeland Security for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,603,000,000.

SEC. 11. HOUSING AND URBAN DEVELOPMENT.
Amounts made available to the Department of Housing and Urban Development for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $22,000,000,000.

SEC. 12. INTERIOR.
Amounts made available to the Department of the Interior for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $8,111,000,000.

SEC. 13. JUSTICE.
Amounts made available to the Department of Justice for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,808,000,000.

SEC. 14. LABOR.
Amounts made available to the Department of Labor for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $3,260,000,000.

SEC. 15. STATE.
Amounts made available to the Department of State for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $8,216,000,000.

SEC. 16. INTERNATIONAL ASSISTANCE.
International assistance programs are defunded effective on the date of enactment of this Act.

SEC. 17. TRANSPORTATION.
Amounts made available to the Department of Transportation for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $14,724,000,000.

SEC. 18. VETERANS’ AFFAIRS.
The Department of Veterans’ Affairs shall not be subject to funding cuts in fiscal year 2011.

SEC. 19. CORPS OF ENGINEERS.
Amounts made available to the Corps of Engineers for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $3,135,000,000.

SEC. 20. ENVIRONMENTAL PROTECTION AGENCY.
Amounts made available to the Environmental Protection Agency for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $3,506,000,000.

SEC. 21. GENERAL SERVICES ADMINISTRATION.
Amounts made available to the General Services Administration for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,140,000,000.

SEC. 22. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.
Amounts made available to the National Aeronautics and Space Administration for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $1,735,000,000.

SEC. 23. OFFICE OF PERSONNEL MANAGEMENT.
Amounts made available to the Office of Personnel Management for fiscal year 2011 are reduced on a pro rata basis by the amount required to bring total reduction to $133,000,000.

SEC. 24. SOCIAL SECURITY ADMINISTRATION.
The Social Security Administration shall not be subject to funding cuts in fiscal year 2011.

SEC. 25. REPEAL OF INDEPENDENT AGENCIES.
The following agencies are defunded effective on the date of enactment of this Act:
(1) Affordable Housing Program.
(2) Commission on Fine Arts.
(4) Corporation for Public Broadcasting.
(5) National Endowment for the Arts.
(6) National Endowment for the Humanities.
(7) State Justice Institute.

SA 200. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. REDUCTION OF FEDERAL PELL GRANT FUNDING.

SA 201. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. REQUIREMENTS WITH RESPECT TO GRANTING WAIVERS.
(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall—
(1) publish detailed criteria used by the Secretary to determine approval of an application submitted by a group health plan, health insurance issuer, employer, State, Tribal, Tribal organization, or other entity eligible for a waiver, adjustment, or other compliance relief provided for under the authority of the Patient Protection and Affordable Care Act (Public Law 111–148) or the Health Care and Education Reconciliation Act (Public Law 111–152), including—
(1A) how much of a significant decrease in benefits with respect to a health insurance plan or health insurance coverage would need to occur in order have such a waiver application approved by the Secretary; and
(1B) how much of a significant increase in premiums with respect to a health insurance plan or health insurance coverage would need to occur in order have such a waiver application approved by the Secretary;
(2) publish on the Internet website of the Department of Health and Human Services each application for a waiver described in paragraph (1); and
(3) publish on the Internet website of the Department of Health and Human Services the determination made by the Secretary whether to approve or reject such application, and the reason for such approval or rejection.
(b) PROTECTION OF PROPRIETARY INFORMATION.—In carrying out paragraph (a) of this section, the Secretary shall ensure the confidentiality of proprietary information of each applicant.
(c) PROHIBITION OF PREFERENTIAL TREATMENT.—In no case, during any stage of the application process for an application described in subsection (a)(1), shall preferential
treatment be given to an applicant based on political contributions or association with a labor union, a health plan provided for under a collective bargaining agreement, or any other organized labor group.

SA 202. Mr. ENSIGN (for himself, Ms. Murkowski, Mr. McCain, Mr. Moran, and Mr. Voinovich) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

TITLE —CASTING LIGHT ON EAJA AGENCY RECORDS FOR OVERSIGHT ACT OF 2011

SEC. 01. SHORT TITLE.

This title may be cited as the “Casting Light on EAJA Agency Records for Oversight Act of 2011”.

SEC. 02. FINDINGS.

The Congress finds the following:

(1) The Equal Access to Justice Act, established in 1980 to provide small businesses, individuals, and public interest groups the opportunity to litigate without regard to money or status and to compensate them for fees and costs incurred in defending rights, is funded through a permanent Congressional appropriation.

(2) The Equal Access to Justice Act, as passed, includes a statutory reporting requirement to Congress on the administration and payments funded through the Act.

(3) The Department of Justice and the Administrations of the United States ceased reporting to Congress on EAJA payments and administration in 1995.

(4) Payments authorized by EAJA have been made every year without Congressional oversight.

SEC. 03. DATA COMPILATION, REPORTING, AND ACCESS.

(a) REPORTING IN AGENCY ADJUDICATIONS.—

Section 504(c) of title 5, United States Code, is amended—

(1) in subsection (c)(1), by striking “After consultation with the Chairman of the Administrative Conference of the United States, each” and inserting “Each”; and

(2) by striking subsection (e) and inserting the following:

“(e)(1) The Attorney General of the United States shall issue an annual, online report to the Congress on the amount of fees and other expenses awarded during the preceding fiscal year under this subsection. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, a justification for awards exceeding the cap provided in paragraph (2)(A)(ii), and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online and shall contain a searchable database of total awards given and the total number of cases filed, defended, or heard, and shall include with respect to each such case the following:

(A) The name of the party seeking the award of fees and other expenses under this subsection.

(B) The district court hearing the case.

(C) The names of presiding judges in the case.

(D) The name of the agency involved in the case.

(E) The disposition of the application for fees and other expenses, including any appeal of action taken on the application.

(F) The hourly rates of attorneys and expert witnesses stated in the application that was sustained.

The report under this paragraph shall cover payments of fees and other expenses under this subsection that are made under a settlement agreement.

(b) REPORTING IN COURT CASES.—

Section 2412(d) of title 28, United States Code, is amended by inserting after paragraph (4), the following:

“(5) The Attorney General of the United States shall issue an annual, online report to the Congress on the amount of fees and other expenses awarded during the preceding fiscal year under this subsection. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, a justification for awards exceeding the cap provided in paragraph (2)(A)(ii), and any other relevant information that may aid the Congress in evaluating the scope and impact of such awards. The report shall be made available to the public online and shall contain a searchable database of total awards given and the total number of cases filed, defended, or heard, and shall include with respect to each such case the following:

(A) The name of the party seeking the award of fees and other expenses under this subsection.

(B) The district court hearing the case.

(C) The names of presiding judges in the case.

(D) The name of the agency involved in the case.

(E) The disposition of the application for fees and other expenses, including any appeal of action taken on the application.

(F) The hourly rates of attorneys and expert witnesses stated in the application that was sustained.

The report under this paragraph shall cover payments of fees and other expenses under this subsection that are made under a settlement agreement.

(c) PUBLIC ACCESS.—

Not later than 30 days after the date of enactment of this Act, the Comptroller General shall commence an audit of the Equal Access to Justice Act for the years 1995 through the end of the calendar year in which this Act is enacted. The Comptroller General shall not later than 1 year after the end of the calendar year in which this Act is enacted, complete such audit of the use of funds under this Act and provide the Congress a report on the results of the audit.

SA 203. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. PROHIBITION ON FUNDING FOR TITLE X OF THE PUBLIC HEALTH SERVICE ACT.

Notwithstanding any other provision of law, no Federal funds may be used to carry out the program under title X of the Public Health Service Act (42 U.S.C. 300 et seq.) to provide for voluntary family planning projects. All unobligated balances of the discretionary appropriations made available for such purpose as of the date of enactment of this Act are rescinded.

SA 204. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. TERMINATION OF TAXPAYER FINANCING OF PRESIDENTIAL ELECTION CAMPAIGNS.

(a) TERMINATION OF DESIGNATION OF INCOME TAX PAYMENTS.—Section 6096 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(b) TERMINATION.—This section shall not apply to taxable years beginning after December 31, 2009.”.

(b) TERMINATION OF FUND AND ACCOUNT.—

(1) TERMINATION OF PRESIDENTIAL ELECTION CAMPAIGN FUND.—

(A) IN GENERAL.—Chapter 96 of subtitle H of such Code is amended by adding at the end the following new section:

“SEC. 9043. TERMINATION.

“The provisions of this chapter shall not apply with respect to any presidential election (or any presidential nominating convention) after the date of the enactment of this section, or to any candidate in such an election.”.

(c) TRANSFER OF EXCESS FUNDS TO GENERAL FUND.—Section 9006 of such Code is amended by adding at the end the following new section:

“SEC. 9044. TERMINATION.

“The provisions of this chapter shall not apply to any candidate with respect to any presidential election after the date of the enactment of this section.”.

(d) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 96 of such Code is amended by adding at the end the following new section:

“Sec. 9044. Termination.”.

(2) The table of sections for chapter 96 of such Code is amended by adding at the end the following new section:

“Sec. 9043. Termination.”.

SA 205. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ... PARTICIPATION BY COOPERATIVE GROCERIES.

(a) AMENDMENT.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following:

“(b) COOPERATIVE GROCERIES.—

“(A) DEFINITION.—In this paragraph, the term ‘cooperative grocery’ means a business concern as of the date of enactment organized as a cooperative that—

“(i) is owned by not fewer than 150 and not more than 20,000 individuals—

“(II) no 1 of which owns more than 1 share of its capital stock or membership interest; and

“(II) no 1 of which owns more than 1 share of the business concern; and

“(ii) distributes its profit proportionately to the members in proportion to their business with the business concern; and

“(ii) distributes its profit proportionately to the members in proportion to their business with the business concern; and

“(ii) operates a physical storefront selling a variety of fruits, vegetables, and dairy products.

“(B) ELIGIBILITY.—Notwithstanding section 120.110 of title 13, Code of Federal Regulations, or any other regulation, if a business concern organized as a cooperative grocery shall be deemed to be a small business concern.”.”
SA 206. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

In title V, insert the following:

SEC. 2. WORKER OWNERSHIP, READINESS, AND KNOWLEDGE.

(a) Definitions.—In this section:

(1) existing program.—The term "existing program" means a program designed to promote employee ownership and employee participation in business decisionmaking, that exists on the date the Secretary is carrying out a responsibility authorized by this section.

(2) initiative.—The term "initiative" means the Employee Ownership and Participation Initiative established under subsection (a) of section 1133(b) of the Small Business Jobs Act of 2010 (15 U.S.C. 636 note) is amended—

(15 U.S.C. 636 note) is amended—

(1) establishment.—The Secretary of Labor shall establish a program to encourage new and existing programs within the States, designed to foster employee ownership and employee participation in business decisionmaking throughout the United States.

(2) purpose of program.—The purpose of the program established under paragraph (1) is to encourage new and existing programs within the States that focus on—

(A) providing education and outreach to inform employees and employers about the possibilities and benefits of employee ownership, business ownership succession planning, and other activities funded under this section.

(B) providing technical assistance to assist employers and employees, to enable employers and employees to explore and assess the feasibility of transferring full or partial ownership to employees, and to encourage employers and employees to start new employee-owned businesses.

(C) training employees and employers with respect to methods of employee participation in open-book management, work teams, committees, and other approaches for seeking greater employer input; and

(D) training other entities to apply for funding under this subsection, to establish new programs, and to carry out program activities.

(3) program details.—The Secretary may, in the establishment made under paragraph (1), provide that—

(A) in the case of activities under paragraph (2)(A)—

(i) target key groups such as retiring business owners, unions, trade associations, community organizations, and economic development organizations;

(ii) encourage cooperation in the organization of workshops and conferences; and

(iii) provide preliminary technical assistance to assist retiring owners exploring the possibility of employee ownership;

(B) in the case of activities under paragraph (2)(B)—

(i) provide preliminary technical assistance to monitor groups, managers, and retiring owners exploring the possibility of employee ownership;

(ii) provide for the performance of preliminary feasibility studies and preliminary business valuations, and in selecting and qualifying professionals qualified to conduct such studies; and

(iii) assist in the funding of objective third-party feasibility studies and preliminary business valuations, and in selecting and monitoring professionals qualified to conduct such studies; and

(iv) provide a data bank to help employees find local, financial, and technical advice in connection with business owners associations, trade associations, community organizations, and economic development organizations;

(C) in the case of activities under paragraphs (2)(C) and (D)—

(i) provide for courses on employee participation in business decisionmaking, including providing information about financial education, employee teams, open-book management, and other tools that encourage employees to share ideas and information about how their businesses can succeed;

(B) providing technical assistance to assist employers and employees, to enable employers and employees to explore and assess the feasibility of transferring full or partial ownership to employees, and to encourage employers and employees to start new employee-owned businesses.

(C) training employees and employers with respect to methods of employee participation in open-book management, work teams, committees, and other approaches for seeking greater employer input; and

(D) training other entities to apply for funding under this subsection, to establish new programs, and to carry out program activities.

(3) program details.—The Secretary may include, in the program established under paragraph (1), provisions that—

(A) in the case of activities under paragraph (2)(A)—

(i) target key groups such as retiring business owners, unions, trade associations, community organizations, and economic development organizations;

(ii) encourage cooperation in the organization of workshops and conferences; and

(iii) provide preliminary technical assistance to assist retiring owners exploring the possibility of employee ownership;

(B) in the case of activities under paragraph (2)(B)—

(i) provide preliminary technical assistance to monitor groups, managers, and retiring owners exploring the possibility of employee ownership;

(ii) provide for the performance of preliminary feasibility studies and preliminary business valuations, and in selecting and qualifying professionals qualified to conduct such studies; and

(iii) assist in the funding of objective third-party feasibility studies and preliminary business valuations, and in selecting and monitoring professionals qualified to conduct such studies; and

(iv) provide a data bank to help employees find local, financial, and technical advice in connection with business owners associations, trade associations, community organizations, and economic development organizations;

(C) in the case of activities under paragraphs (2)(C) and (D)—

(i) provide for courses on employee participation in business decisionmaking, including providing information about financial education, employee teams, open-book management, and other tools that encourage employees to share ideas and information about how their businesses can succeed;

(ii) provide for visits to existing programs by staff from new programs receiving funding under this section; and

(iii) provide materials to be used for such training.

(4) Guidance.—The Secretary shall issue formal guidance, for recipients of grants awarded under subsection (d) and one-stop partners affiliated with the statewide work force investment systems described in section 106 of the Workforce Investment Act of 1998 (29 U.S.C. 2801), proposing that programs and other activities funded under this section be—

(A) proactive in encouraging actions and activities that promote employee ownership of, and participation in, businesses; and

(B) comprehensive in emphasizing both employee ownership of, and participation in, businesses so as to increase productivity and broaden capital ownership.

(d) Grants.—

(1) in general.—In carrying out the program established under section (c), the Secretary may make grants for use in connection with new programs and existing programs within a State for any of the following activities:

(A) Education and outreach as provided in subsection (c)(2)(A).

(B) Technical assistance as provided in subsection (c)(2)(B).

(C) Training activities for employees and employers as provided in subsection (c)(2)(C).

(D) Activities focused on cooperation among employee-owned firms.

(E) Training as provided in subsection (c)(2)(D) for new programs provided by recipients of grants to existing programs as provided in paragraphs (3) through (5) of section 106 of the Workforce Investment Act of 1998 (29 U.S.C. 2801), proposing that programs and other activities funded under this section.

(2) amounts and conditions.—The Secretary shall determine the amount and any conditions for a grant made under this subsection. The amount of the grant shall be subject to paragraph (6), and shall reflect the capacity of the entity for the grant.

(3) applications.—Each entity desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and by such form as the Secretary may require.

(4) state applications.—Each State may submit an application under paragraph (3) on behalf of any local entity consisting of a unit of State or local government, State-supported institution of higher education, or nonprofit organization, meeting the requirements of this section.

(5) applications by entities.—

(A) entity applications.—If a State fails to support or establish a program pursuant to this section during any fiscal year, the Secretary shall, in the subsequent fiscal years, allow local entities described in paragraph (4) from that State to make applications for grants under paragraph (3) on their own initiative.

(B) application screening.—Any State failing to support or establish a program pursuant to this section during any fiscal year may submit applications under paragraph (3) in the subsequent fiscal years but may not screen applications by local entities described in paragraph (4) before submitting the applications to the Secretary.

(6) limitations.—A recipient of a grant made under this subsection shall—

(A) for fiscal year 2012, $300,000.

(B) for fiscal year 2013, $330,000.

(C) for fiscal year 2014, $363,000.

(D) for fiscal year 2015, $399,300.
(22) Social Security is a promise that this Nation cannot afford to break.

SEC. 603. LIMITATION ON USES TO THE SOCIAL SECURITY PROGRAM FOR CURRENT AND FUTURE BENEFICIARIES.

(a) IN GENERAL.—[Any other provision of law, it shall not be in order in the Senate or the House of Representatives to consider, for purposes of the older survivors, any legislation for benefits program established under title II of the Social Security Act (42 U.S.C. 401 et seq.), any legislation that—

(1) increases the payment age (as defined in section 216(i)(1) of the Social Security Act (42 U.S.C. 416(i)(1))) or the early retirement age (as defined in section 216(2)(2) of the Social Security Act (42 U.S.C. 416)) for individuals receiving benefits under title II of the Social Security Act or on or after the date of enactment of this Act;

(2) reduces cost-of-living increases for individuals receiving benefits under title II of the Social Security Act on or after the date of enactment of this Act; or

(3) creates private retirement accounts for any of the benefits individuals receive under title II of the Social Security Act on or after the date of enactment of this Act.

(b) WAIVER OR SUSPENSION.—In the House of Representatives, it shall not be in order to consider a rule or order that waives the application of paragraph (2) of subsection (a).

(c) POINT OF ORDER PROTECTION.—In the House of Representatives, it shall not be in order for the Speaker to entertain a motion to suspend the application of this section under clause 1 of rule XV of the Rules of the House of Representatives.

SEC. 208. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

TITLE VI—SOCIAL SECURITY PROTECTION ACT

SEC. 601. SHORT TITLE.
This title may be cited as the "Social Security Protection Act of 2011".

SEC. 602. FINDINGS.
Congress makes the following findings:

(1) Social Security is the most successful and reliable social program in our Nation’s history.

(2) In 75 years, through good times and bad, Social Security has reliably kept millions of senior citizens, individuals with disabilities, and children out of poverty.

(3) Before President Franklin Roosevelt signed the Social Security Act into law on August 14, 1935, approximately half of the senior citizens in the United States lived in poverty, less than 10 percent of seniors live in poverty today.

(4) Social Security has succeeded in protecting working Americans and their families from poverty. The household income due to lost wages resulting from retirement, disability, or the death of a spouse or parent.

(5) More than 53,000,000 Americans receive Social Security benefits, including 36,500,000 retirees and their spouses, 9,200,000 veterans,

8,200,000 disabled individuals and their spouses, 4,500,000 surviving spouses of deceased workers, and 4,300,000 dependent children.

(6) Social Security has never contributed to the Federal budget deficit or the national debt, and benefit cuts should not be proposed as a solution to reducing the Federal budget deficit.

(7) Social Security is not in a crisis or going bankrupt, as the Social Security Trust Funds have been running surpluses for the last quarter century.

(8) According to the Social Security Administration, the Social Security Trust Funds currently contain a $2,600,000,000,000 surplus that is projected to grow to $4,200,000,000,000 by 2023.

(9) According to the Social Security Administration, full benefits will not be available to every recipient until 2037, with enough funding remaining after that date to pay about 78 percent of promised benefits.

(10) According to the Social Security Administration, “money flowing into the Social Security trust funds is invested in U.S. Government securities . . . the investments held by the trust funds are backed by the full faith and credit of the U.S. Government. The Government always pays Social Security, with interest.”.

(11) All workers who contribute into Social Security through the 12.4 percent payroll tax. The Government then pays Social Security beneficiaries.

(12) Social Security provides the majority of income for two-thirds of the elderly population in the United States, with approximately one-third of all elderly individuals receiving nearly all of their income from Social Security.

(13) Overall, Social Security benefits for retirees currently average a modest $4,100 a year, with the average for women receiving benefits being less than $12,000 per year.

(14) Nearly 1 out of every 4 adult Social Security beneficiaries has served in the United States military.

(15) Social Security is not solely a retirement program, as it also serves as a disability insurer for American workers who become permanently disabled and unable to work.

(16) The Social Security Disability Insurance program is a critical lifeline for millions of American workers, as a 20-year-old worker faces a 30 percent chance of becoming disabled before age 62.

(17) Proposals to privatize the Social Security program would jeopardize the security of millions of Americans by subjecting them to the ups-and-downs of the volatile stock market as the source of their retirement benefits.

(18) Raising the retirement age would jeopardize the future retirement of millions of American workers, particularly those in physically demanding jobs as well as lower-income women.

(19) African-Americans, and Latinos, all of whom have a much lower life expectancy than wealthier Americans.

(20) Social Security benefits have already been cut by 13 percent, as the Normal Retirement Age was raised in 1983 from 65 years of age to 67 years of age by 2022.

(21) According to the Social Security Administration, raising the retirement age for current and future beneficiaries by 8 to 7 percent for each year that the Normal Retirement Age is raised.

(22) Reducing cost-of-living adjustments for currently retired beneficiaries or beneficiaries who become disabled after age 62 would force millions of such individuals to choose between heating their homes,
“(b) TOTAL TAX PAYMENTS.—For purposes of subsection (a), the total tax payment of a taxpayer for any taxable year is equal to the sum of—

(1) the tax imposed by subtitle A for such taxable year (as shown on such taxpayer’s return), plus

(2) the tax imposed by section 3101 on wages received by such taxpayer during such taxable year.

“(c) DETERMINATION OF PROPORTIONATE ALLOCATION OF TAX PAYMENT AMONG MAJOR EXPENDITURE CATEGORIES.—For purposes of determining a proportionate allocation described in subsection (a), not later than 60 days after the end of any fiscal year, the Director of the Congressional Budget Office shall provide to the Secretary the percentage of Federal outlays for such fiscal year for the following categories and subcategories of Federal spending:

(1) Social Security.

(2) National defense.

(A) Overseas combat operations.

(B) Veterans benefits and services.

(3) Medicare.

(4) Low-income assistance programs.

(A) Housing assistance.

(B) Food stamp and other food programs.

(C) K-12 and vocational education.

(B) Higher education.

(C) Job training and assistance.

(5) Federal employee retirement and disability benefits.

(6) Unemployment benefits.

(7) Net interest on the Federal debt.

(8) Veterans benefits and services.

(C) Job training and assistance.

(9) Medicare.

(10) Low-income assistance programs.

(A) Housing assistance.

(B) Food stamp and other food programs.

(C) K-12 and vocational education.

(B) Higher education.

(C) Job training and assistance.

(11) Highway, mass transit, and railroad funding.

(A) Mortgage finance (Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Housing Administration, and other housing finance programs).

(12) Justice and law enforcement funding, including Federal Bureau of Investigation, Federal courts, and Federal prisons.

(A) Medicaid, Children’s Health Insurance Program, and other public health programs.

(B) National Institutes of Health and other biomedical training programs.

(C) Food and Drug Administration, Consumer Product Safety Commission, and other regulatory health and safety activities.

(13) Foreign aid.

(A) Science and technology research and advancement.

(A) National Aeronautics and Space Administration.

(B) Air transportation, including Federal Aviation Administration.

(B) Farm subsidies.

(A) Energy funding, including renewable energy programs, Strategic Petroleum Reserve, and Federal Energy Regulatory Commission.

(14) Disaster relief and insurance, including Federal Emergency Management Administration.

(15) Diplomacy and embassies.

(16) Environmental Protection Agency and pollution control programs.

(17) Internal Revenue Service and United States Treasury operations.

(18) Coast Guard and maritime programs.

(19) Community Development Block Grants.

(20) Congress and legislative branch activities.

(21) United States Postal Service.

(22) Executive Office of the President.

(23) Other Federal spending.

“(d) ADDITIONAL MAJOR EXPENDITURE CATEGORIES.—With respect to each fiscal year, the Director of the Congressional Budget Office shall include additional categories and subcategories of Federal spending for purposes of subsection (c), but only if, and only for so long as, each such additional category or subcategory is a significant percentage of total Federal outlays for the fiscal year.

“(e) TIMING OF FEDERAL TAX RECEIPT.—A Federal tax receipt shall be made available to each taxpayer as soon as practicable upon the processing of that taxpayer’s income tax return by the Internal Revenue Service.

“(f) USE OF TECHNOLOGIES.—The Internal Revenue Service is encouraged to utilize modern technologies such as electronic mail and the Internet to minimize the cost of sending Federal tax receipts to taxpayers. The Internal Revenue Service shall establish an interactive program on its Internet website to allow taxpayers to generate Federal tax receipts on their own.

“(g) COST.—No charge shall be imposed to cover any cost associated with the production or distribution of the Federal tax receipt.

“(h) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary to carry out this section.

“(i) CLERICAL AMENDMENT.—The table of contents for chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 7529. Federal tax receipt.”.

“(j) EFFECTIVE DATE.—The amendments made by this section shall be applied to taxable years beginning after the date of the enactment of this Act.

SEC. 505. REDUCTION OF GOVERNMENT PRINTING COSTS.

(a) STRATEGY AND GUIDELINES.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget and the heads of the Executive departments and independent establishments, as those terms are defined in chapter 1 of title 5, United States Code—

(1) to develop a strategy to reduce Government printing costs during the 10-year period beginning on September 1, 2011; and

(2) to issue Government-wide guidelines for printing that implements the strategy developed under paragraph (1).

(b) CONSIDERATIONS.—In developing the strategy under subsection (a)(1), the Director of the Office of Management and Budget and the heads of the Executive departments and independent establishments shall consider guidelines for:

(A) duplex and color printing;

(B) the use of digital file systems by Executive departments and independent establishments; and

(C) determining which Government publications might be made available on Government Web sites instead of being printed.

(2) ESSENTIAL PRINTED DOCUMENTS.—The Director of the Office of Management and Budget and the heads of the Executive departments and independent establishments shall consider guidelines for:

(A) who are entitled to or enrolled for benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and

(B) who receive old-age survivors’ or disability insurance payments under title II of such Act (42 U.S.C. 401 et seq.).

(c) FEDERAL EMPLOYEE ELIGIBILITY TO USE OR ACCESS THE INTERNET.—(1) Federal employees shall be allowed to use or access the Internet, are available after the issuance of the guide- lines under subsection (a)(2).

SA 209. Mr. BROWN of Massachusetts submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. ITEMIZED FEDERAL TAX RECEIPT.

(a) IN GENERAL.—The Secretary shall send to every taxpayer who files an individual in-

come tax return for any taxable year an itemized Federal tax receipt showing a propor-
tionate allocation (in money terms) of the taxpayer’s total Federal tax for such taxable year among major expenditure categories for the fiscal year ending in such taxable year. The Federal tax receipt shall also include 2 separate line items showing the amount of Federal debt per legal United States resident at the end of such fiscal year, and the amount of additional borrowing per legal United States resident by the Federal Government in such fiscal year.

“(b) TOTAL TAX PAYMENTS.—For purposes of subsection (a), the total tax payment of a taxpayer for any taxable year is equal to the sum of—

(1) the tax imposed by subtitle A for such taxable year (as shown on such taxpayer’s return), plus

(2) the tax imposed by section 3101 on wages received by such taxpayer during such taxable year.

“(c) DETERMINATION OF PROPORTIONATE ALLOCATION OF TAX PAYMENT AMONG MAJOR EXPENDITURE CATEGORIES.—For purposes of determining a proportionate allocation described in subsection (a), not later than 60 days after the end of any fiscal year, the Director of the Congressional Budget Office shall provide to the Secretary the percentage of Federal outlays for such fiscal year for the following categories and subcategories of Federal spending:

(1) Social Security.

(2) National defense.

(A) Overseas combat operations.

(B) Veterans benefits and services.

(3) Medicare.

(A) Low-income assistance programs.

(B) Food stamp and other food programs.

(C) K-12 and vocational education.

(B) Higher education.

(C) Job training and assistance.

(5) Federal employee retirement and disability benefits.

(6) Unemployment benefits.

(7) Net interest on the Federal debt.

(8) Veterans benefits and services.

(B) Food stamp and other food programs.

(C) K-12 and vocational education.

(B) Higher education.

(C) Job training and assistance.

(10) Federal employee retirement and disability benefits.

(11) Highway, mass transit, and railroad funding.

(12) Mortgage finance (Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Housing Administration, and other housing finance programs).

(A) Housing assistance.

(B) Food stamp and other food programs.

(C) K-12 and vocational education.

(B) Higher education.

(C) Job training and assistance.

(14) Natural resources, land, and water management and conservation funding.

(A) Energy funding, including renewable energy programs, Strategic Petroleum Reserve, and Federal Energy Regulatory Commission.

(15) Foreign aid.

(2) Energy funding, including renewable energy programs, Strategic Petroleum Reserve, and Federal Energy Regulatory Commission.

(20) Disaster relief and insurance, including Federal Emergency Management Administration.

(21) Diplomacy and embassies.

(22) Environmental Protection Agency and pollution control programs.

(23) Internal Revenue Service and United States Treasury operations.

(24) Coast Guard and maritime programs.

(25) Community Development Block Grants.

(26) Congress and legislative branch activities.

(27) United States Postal Service.

(28) Executive Office of the President.

(29) Other Federal spending.

(11) Highway, mass transit, and railroad funding.

(12) Mortgage finance (Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Housing Administration, and other housing finance programs).

(14) Natural resources, land, and water management and conservation funding, including National Parks.

(15) Foreign aid.

(16) Science and technology research and advancement.

(17) Air transportation, including Federal Aviation Administration.

(18) Farm subsidies.

(19) Energy funding, including renewable energy programs, Strategic Petroleum Reserve, and Federal Energy Regulatory Commission.

(20) Disaster relief and insurance, including Federal Emergency Management Administration.

(21) Diplomacy and embassies.

(22) Environmental Protection Agency and pollution control programs.

(23) Internal Revenue Service and United States Treasury operations.

(24) Coast Guard and maritime programs.

(25) Community Development Block Grants.

(26) Congress and legislative branch activities.

(27) United States Postal Service.

(28) Executive Office of the President.

(29) Other Federal spending.

(1) Social Security.

(2) National defense.

(A) Overseas combat operations.

(B) Veterans benefits and services.

(3) Medicare.

(A) Low-income assistance programs.

(A) Housing assistance.

(B) Food stamp and other food programs.

(C) K-12 and vocational education.

(B) Higher education.

(C) Job training and assistance.

(10) Federal employee retirement and disability benefits.

(11) Highway, mass transit, and railroad funding.

(12) Mortgage finance (Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Housing Administration, and other housing finance programs).

(14) Natural resources, land, and water management and conservation funding, including National Parks.

(15) Foreign aid.
“(d) Additional Major Expenditure Categories.—In developing the strategy that shall apply to each such account, the Director of the Office of Management and Budget shall determine and identify from which appropriations amounts are available after the issuance of the guidelines under subsection (a)(2).

SEC. 504. REPEAL OF MEDICAL DEVICE EXCISE TAX.

(a) IN GENERAL.—Subsections (a), (b), and (c) of section 1405 of the Health Care and Education Reconciliation Act of 2010, and the amendments made thereby, are hereby repealed, and the Internal Revenue Code of 1986 shall be applied as if such section and amendments had never been enacted.

(b) RESSION OF UNSPENT FEDERAL FUNDS TO OFFSET LOSS IN REVENUES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, of all available unobligated funds, $39,000,000,000 in appropriated discretionary funds are hereby rescinded.

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify which appropriations accounts the rescission under paragraph (1) shall apply and the amount of such rescission that shall apply to each such account.

Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Secretary of the Treasury and Congress of the accounts and amounts determined and identified for rescission under the preceding sentence.

(3) EXCEPTION.—This subsection shall not apply to the following:

(a) The United States Postal Service.

(b) The Executive Office of the President.

(c) State, local, and tribal governments.

(d) The Internal Revenue Service.
(A) in subparagraph (A), by striking ‘‘,” and inserting a semicolon;
(B) in subparagraph (B), by striking the period and inserting ‘‘; or’’; and
(C) by adding at the end the following:
‘‘(C) issuing an injunction prohibiting an agency from taking any agency action with respect to a rulemaking until that agency is in compliance with the requirements of section 603 or 605.’’.

SEC. 05. PERIODIC REVIEW AND SUNSET OF EXISTING RULES.

Section 603 of title 5, United States Code, is amended to read as follows:

‘‘§ 610. Periodic review of rules

‘‘(a)(1) Not later than 180 days after the date of enactment of the Small Business Regulatory Fairness Act of 2011, each agency shall establish a plan for the periodic review of—

‘‘(A) each rule issued by the agency that the head of the agency determines has a significant economic impact on a substantial number of small entities, without regard to whether the agency performed an analysis under section 604 with respect to the rule; and

‘‘(B) any small entity compliance guide required to be published by the agency under section 604 with respect to a rule; and

‘‘(2) in reviewing rules and small entity compliance guides, under paragraph (1), the agency shall determine whether the rules and guides should—

‘‘(A) be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any significant adverse economic impacts on a substantial number of small entities (including an estimate of any adverse impacts on job creation and employment by small entities); or

‘‘(B) continue in effect without change.

(3) Each agency shall publish the plan established under paragraph (1) in the Federal Register and on the Web site of the agency.

(4) An agency may amend the plan established under subsection (a) at any time by publishing the amendment in the Federal Register and on the Web site of the agency.

(b)(1) Each plan established under subsection (a) shall provide for—

‘‘(A) a review of each rule and small entity compliance guide described in subsection (a)(1) in effect on the date of enactment of the Small Business Regulatory Fairness Act of 2011—

‘‘(i) not later than 8 years after the date of publication of the plan in the Federal Register; and

‘‘(ii) every 8 years thereafter;

‘‘(B) the review of each rule adopted and small entity compliance guide described in subsection (a)(1) that is published after the date of enactment of the Small Business Regulatory Fairness Act of 2011—

‘‘(i) not later than 8 years after the date of publication of the final rule in the Federal Register; and

‘‘(ii) every 8 years thereafter.

(2)(A) If an agency determines that the review of each rule and small entity compliance guide described in paragraph (1)(A) cannot be completed before the date described in paragraph (1)(A)(i), the agency—

‘‘(i) shall publish a statement in the Federal Register certifying that the review cannot be completed; and

‘‘(ii) may extend the period for the review of the guides described in paragraph (1)(A) for a period of not more than 2 years, if the agency publishes notice of the extension in the Federal Register.

(B) If the agency transmits to the Chief Counsel for Advocacy of the Small Business Administration and Congress notice of any statement or notice described in subparagraph (A),

(c) In reviewing rules under the plan required under subsection (a), the agency shall consider—

‘‘(1) the continued need for the rule;

‘‘(2) the nature of complaints received by the agency from small entities concerning the rule;

‘‘(3) comments by the Regulatory Enforcement Ombudsman and the Chief Counsel for Advocacy of the Small Business Administration;

‘‘(4) the complexity of the rule;

‘‘(5) the extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, unless the head of the agency determines it to be infeasible, State and local rules;

‘‘(6) the contribution of the rule to the cumulative economic impact of all Federal rules on the class of small entities affected by the rule, unless the head of the agency determines that such a calculation cannot be made;

‘‘(7) the length of time since the rule has been evaluated, or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule; and

‘‘(8) the impact of the rule, including—

‘‘(A) the estimated number of small entities to which the rule will apply;

‘‘(B) the estimated number of small entity jobs that will be lost or created due to the rule; and

‘‘(C) the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including—

‘‘(i) an estimate of the classes of small entities that will be subject to the requirement; and

‘‘(ii) the type of professional skills necessary for preparation of the report or record.

(d)(1) Each agency shall submit an annual report regarding the results of the review required under subsection (a) to—

‘‘(A) Congress; and

‘‘(B) in the case of an agency that is not an independent regulatory agency (as defined in section 3502(5) of title 44), the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget.

(2) Each report required under paragraph (1) shall include—

‘‘(A) the estimated number of small entities affected by the rule;

‘‘(B) the type of professional skills necessary for preparation of the report or record;

‘‘(C) issuing an injunction prohibiting an agency from taking any agency action with respect to the requirement;

‘‘(D) the estimated number of small entity jobs that will be lost or created due to the rule; and

‘‘(E) the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including—

‘‘(i) an estimate of the classes of small entities that will be subject to the requirement; and

‘‘(ii) the type of professional skills necessary for preparation of the report or record.

(e) Each agency shall publish in the Federal Register and on the Web site of the agency a list of the rules and small entity compliance guides to be reviewed under the plan required under subsection (a) that includes—

‘‘(1) a brief description of each rule or guide;

‘‘(2) for each rule, the reason why the head of the agency determined that the rule has a significant economic impact on a substantial number of small entities (without regard to whether the agency had prepared a final regulatory flexibility analysis for the rule); and

‘‘(3) a request for comments from the public, the Chief Counsel for Advocacy of the Small Business Administration, and the Regulatory Enforcement Ombudsman concerning the enforcement of the rules or publication of the guides.

(f)(1) With respect to each rule and small entity compliance guide required under subsection (a), the Chief Counsel for Advocacy of the Small Business Administration and Congress notice of any adverse impacts on job creation and employment by small entities (including an estimate of any adverse impacts on job creation and employment by small entities); or

‘‘(2) for each rule, the reason why the head of the agency determined that the rule has a significant economic impact on a substantial number of small entities shall immediately cease to have effect.’’.

SEC. 06. REQUIRING SMALL BUSINESS REVIEW PANELS FOR AGENCIES.

(a) AGENCIES.—Section 609 of title 5, United States Code, is amended—

(1) in subsection (b), by striking ‘‘a covered agency, as defined in section 609(d)(2)’’ and inserting ‘‘the Bureau of Consumer Financial Protection’’; and

(2) in subsection (e), by striking ‘‘the Bureau of Consumer Financial Protection’’.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 609.—Section 609 of title 5, United States Code, as amended—

(A) by striking subsection (d), as amended by section 1006(a)(1) of Public Law 111–203 (124 Stat. 2122); and

(B) by redesignating subsection (e) as subsection (d).

(2) SECTION 603(d).—Section 603(d) of title 5, United States Code, as added by section 1006(d)(1) of Public Law 111–203 (124 Stat. 2112), is amended—

(A) in paragraph (1), by striking ‘‘a covered agency, as defined in section 609(d)(2)’’ and inserting ‘‘the Bureau of Consumer Financial Protection’’; and

(B) in paragraph (2), by striking ‘‘A covered agency, as defined in section 609(d)(2)’’ and inserting ‘‘the Bureau of Consumer Financial Protection’’.

(c) IN GENERAL.—Section 604(a) of title 5, United States Code, is amended—

(A) by redesignating the second paragraph designated as paragraph (6) (relating to covered agencies) as paragraph (7); and

(B) in paragraph (7), as so redesignated—

(i) by striking ‘‘a covered agency, as defined in section 609(d)(2)’’ and inserting ‘‘the Bureau of Consumer Financial Protection’’; and

(ii) by striking ‘‘the agency’’ and inserting ‘‘the Bureau’’.

(d) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of enactment of this Act and apply to each rule that takes effect on the designated transfer date established under section 1062 of Public Law 111–203 (12 U.S.C. 5582).

SEC. 07. EXPANDING THE REGULATORY FLEXIBILITY ACT AND AGENCY GUIDANCE DOCUMENTS.

Section 601(2)(d) of title 5, United States Code, is amended by inserting after ‘‘public comment’’ the following: ‘‘and any significant guidance document, as defined in the Office of Management and Budget Final Bullets for Agency Good Guidance Procedures (72 Fed. Reg. 3452, January 25, 2007)’’.

SEC. 08. REQUIRING THE INTERNAL REVENUE SERVICE TO CONSIDER SMALL ENTITY IMPACT.

(a) IN GENERAL.—Section 606(a)(1) of title 5, United States Code, is amended, in the fifth sentence, by striking ‘‘and all that follows through the period at the end and inserting ‘but only to the extent that such interpretative rules, or the statutes upon which such rules are based, impose significant economic impact on a substantial number of small entities a collection of information requirement or a recordkeeping requirement.’’.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 609 of title 5, United States Code, as amended by section 3 of this Act, is amended—

(1) in paragraph (6), by striking ‘‘and’’ at the end of

(2) by striking paragraphs (7) and (8) and inserting the following:

“(2) If, after a review under paragraph (1), the Chief Counsel for Advocacy of the Small Business Administration determines that an agency has failed to complete the review required under subsection (d), the rule issued by the agency that the head of the agency determined under subsection (a) has a significant economic impact on a substantial number of small entities shall immediately cease to have effect.’’.
“(7) the term ‘collection of information’ has the meaning given that term in section 3502(3) of title 44; “
“(8) the term ‘recordkeeping requirement’ has the meaning given that term in section 3502(13) of title 44; and “

SEC. 09. MITIGATING PENALTIES ON SMALL ENTITIES.

Section 223 of the Small Business Regulatory Fairness Act of 1996 (Public Law 104–121; 110 Stat. 862) is amended by adding at the end the following:

“(d) REVIEW OF POLICIES AND PROGRAMS.—
“(1) REVIEW REQUIRED.—Not later than 6 months after the date of enactment of this subsection, and every 2 years thereafter, each agency regulating the activities of small entities shall review the policy or program established by the agency under subsection (a) and make any modifications to the policy or program necessary to comply with the requirements under this section.

“(2) In the case of a small agency, not later than 6 months after the date of enactment of this subsection, and every 2 years thereafter, each agency described in paragraph (1) shall submit a report to the Congress containing an agenda or analysis that is required by section 601 of title 5, United States Code, and an estimate of the potential economic impact of the proposed rule on such a description could not be provided; and

“(3) the type of professional skills necessary for job creation and job loss, and alternatives for job creation or job loss, and alternatives

“(a) Initial Regulatory Flexibility Analysis

“(1) describing the reasons why action by the agency is being considered;

“(2) describing the objectives of, and legal basis for, the proposed rule;

“(3) estimating the number and type of small entities to which the proposed rule will apply;

“(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

“(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided; and

“(6) estimating the additional cumulative economic impact of the proposed rule on small entities, including job creation and employment and the small entity's ability to enter into contracts with the Federal Government, and making this information available to the public.

“(b) Final Regulatory Flexibility Analysis

“(1) describing the reasons why action by the agency is being considered;

“(2) describing the objectives of, and legal basis for, the proposed rule;

“(3) estimating the number and type of small entities to which the proposed rule will apply;

“(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

“(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided; and

“(6) estimating the additional cumulative economic impact of the proposed rule on small entities, including job creation and employment and the small entity's ability to enter into contracts with the Federal Government, and making this information available to the public.

“(c) Final Regulatory Flexibility Analysis

“(1) describing the reasons why action by the agency is being considered;

“(2) describing the objectives of, and legal basis for, the proposed rule;

“(3) estimating the number and type of small entities to which the proposed rule will apply;

“(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

“(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided; and

“(6) estimating the additional cumulative economic impact of the proposed rule on small entities, including job creation and employment and the small entity's ability to enter into contracts with the Federal Government, and making this information available to the public.

“§ 607. Quantification requirements

“In complying with sections 603 and 604, an agency shall provide—

“(1) a quantifiable or numerical description of the effects of the proposed or final rule, including an estimate of the potential for job creation or job loss, and alternatives to the proposed or final rule; or

“(2) a more general descriptive statement regarding the potential for job creation or job loss and a detailed statement explaining why quantitative assessments are impractical or unreliable.

“SEC. 11. ENSURING THAT AGENCIES CONSIDER SMALL ENTITY IMPACT DURING THE REGULATORY PROCESS

Section 605(b) of title 5, United States Code, is amended—

“(1) by inserting “(1)” after “(b);” and

“(2) by striking at the end and inserting the following:

“§ 605. Implementation

“In complying with sections 603 and 604, an agency shall provide—

“(1) a quantifiable or numerical description of the effects of the proposed or final rule, including an estimate of the potential for job creation or job loss, and alternatives to the proposed or final rule; or

“(2) a more general descriptive statement regarding the potential for job creation or job loss and a detailed statement explaining why quantitative assessments are impractical or unreliable.

“SEC. 12. ADDITIONAL POWERS OF THE OFFICE OF ADVOCACY

Section 203 of Public Law 94–305 (15 U.S.C. 634c) is amended—

“(1) in paragraph (5), by striking “and” at the end and inserting “; and”;

“(2) in paragraph (6), by striking the period at the end and inserting “; and”;

“(3) by inserting after paragraph (6) the following:

“§ 204. Mitigation of Penalties on Small Entities

“(a) Initial Regulatory Flexibility Analysis

“(1) describing the reasons why action by the agency is being considered;

“(2) describing the objectives of, and legal basis for, the proposed rule;

“(3) estimating the number and type of small entities to which the proposed rule will apply;

“(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

“(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided; and

“(6) estimating the additional cumulative economic impact of the proposed rule on small entities, including job creation and employment and the small entity's ability to enter into contracts with the Federal Government, and making this information available to the public.

“(b) Final Regulatory Flexibility Analysis

“(1) describing the reasons why action by the agency is being considered;

“(2) describing the objectives of, and legal basis for, the proposed rule;

“(3) estimating the number and type of small entities to which the proposed rule will apply;

“(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

“(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided; and

“(6) estimating the additional cumulative economic impact of the proposed rule on small entities, including job creation and employment and the small entity's ability to enter into contracts with the Federal Government, and making this information available to the public.

“(c) Final Regulatory Flexibility Analysis

“(1) describing the reasons why action by the agency is being considered;

“(2) describing the objectives of, and legal basis for, the proposed rule;

“(3) estimating the number and type of small entities to which the proposed rule will apply;

“(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

“(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided; and

“(6) estimating the additional cumulative economic impact of the proposed rule on small entities, including job creation and employment and the small entity's ability to enter into contracts with the Federal Government, and making this information available to the public.

“SEC. 13. TECHNICAL AND CONFORMING AMENDMENTS

(a) Heading.—Section 605 of title 5, United States Code, is amended in the section heading by striking “Avoidance” and all that follows and inserting the following: “Incorporations by reference and certifications.”

(b) Table of Sections.—The table of sections for chapter 6 of title 5, United States Code, is amended—

“(1) by striking the item relating to section 602, 603, and 604, inserting the following: “§ 605. Incorporations by reference and certifications.”;

“(2) by striking the item relating to section 607, inserting the following: “§ 707. Quantification requirements.”;

“SA 212. Mr. BROWN of Massachusetts (for himself and Mr. VITTER) submitted an amendment in a correction to proposed rule by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

“At the end of title V, add the following:

“§ 504. Repeal of Imposition of Withholding on Certain Payments Made to Vendors by Government Entities

“(a) In General.—The amendment made by section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 is repealed.

“(b) Effective Date.—The amendment made by section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 shall be applied as if such amendment had never been enacted.}
(b) Rescission of Unspent Federal Funds to Offset Loss in Revenues.—

(1) In General.—Notwithstanding any other provision of law, of all unavailable unobligated funds in appropriated or discretionary funds are hereby permanently rescinded.

(2) Implementation.—The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission under paragraph (1) shall apply and the amount of such rescission that shall apply to each such account. Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Secretary of the Treasury and Congress of the accounts and amounts determined and identified for rescission under the preceding sentence.

(3) Exclusions.—This subsection shall not apply to the unobligated funds of the Department of Defense or the Department of Veterans Affairs.

SA 213. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. IMPOSITION OF A NO-FLY ZONE AND RECOGNITION OF THE TRANSITIONAL NATIONAL COUNCIL IN LIBYA.

(a) Findings.—Congress makes the following findings:

(1) Peaceful demonstrations, inspired by similar demonstrations in Tunisia, Egypt, and elsewhere in the Middle East, began in Libya with calls for greater political reform, opportunity, justice, and the rule of law and quickly spread to cities around the country.

(2) Muammar Qaddafi, his sons, and forces loyal to them have responded to the peaceful demonstrations by authorizing and initiating violence against civilian non-combatants in Libya, including the use of airpower, foreign mercenaries, helicopters, mortar and artillery fire, naval assets, snipers, and soldiers.

(3) In response to Qaddafi’s assault on the people of Libya, the imposition of a “no-fly zone” in Libya was called for by the Gulf Cooperation Council on March 7, 2011; by the head of the Organization of the Islamic Conference on March 8, 2011; and by the Arab League on March 11, 2011.

(4) The Governments of France and the United Kingdom have drafted a United Nations Security Council Resolution to mandate the imposition of a “no-fly zone” in Libya.

(5) The Libyan Transitional National Council was formed in Benghazi, with representation of Libyan leaders from across the country.

(6) On March 10, 2011, the Government of France recognized the Libyan Transitional National Council, based in Benghazi, as the sole legitimate government of Libya and has announced its intention to send an ambassador there.

(7) Despite initial gains, the opposition has been losing ground against Qaddafi’s forces, which are currently advancing against the opposition stronghold of Benghazi.

(8) On March 3, 2011, President Barack Obama said, “Let me just be very unambiguous about this. Colonel Qaddafi needs to step down from power and leave.”

(9) On March 10, 2011, the Director of National Intelligence testified before Congress that, because of Qaddafi’s superior military resources, including airpower, and in the absence of outside assistance to the opposition, “I think [over] the long term that the [Qaddafi] regime will prevail.”

(b) Senate.—The Senate—

(1) applauds the bravery of the Libyan people, who are fighting to secure their universal rights against the violent dictatorship of Muammar Qaddafi;

(2) condemns Muammar Qaddafi, and the forces loyal to him, for using overwhelming and indiscriminate violence, including the use of airpower and foreign mercenaries, against peaceful demonstrators and civilians, which has resulted in gross human rights abuses, grave loss of innocent life, and potential genocide against humanity;

(3) strongly welcomes the calls for imposing a “no-fly zone” in Libya made by the Arab League, the Gulf Cooperation Council, and the Organization of the Islamic Conference;

(4) reiterates that it is the policy of the United States, as stated by President Obama, that Colonel Qaddafi must step down and leave power; and

(c) Rescission.—Notwithstanding any other provision of law, no action taken by the Department of the Secretary of Defense or the Department of Veterans Affairs.

SA 214. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 504. IMPOSITION OF A NO-FLY ZONE AND RECOGNITION OF THE TRANSITIONAL NATIONAL COUNCIL IN LIBYA.

(a) FINDINGS.—Congress makes the following findings:

(1) the debt of the United States exceeds $14,000,000,000,000;

(2) it is important for Congress to use all tools at its disposal to address the national debt crisis;

(3) Congress will not earmark funds for projects requested by Members of Congress;

(4) the earmark ban should be utilized to realize actual savings.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should reduce spending by the amount resulting from the recently announced earmark moratorium.

SA 215. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VII—BUSINESS INCUBATOR PROMOTION

SEC. 601. SHORT TITLE. This title may be cited as the “EPA Stationary Source Regulations Suspension Act”.

SEC. 602. SUSPENSION OF CERTAIN EPA ACTION.

(a) In General.—Except as provided in subsection (b), notwithstanding any provision of law—

(1) the Clean Air Act (42 U.S.C. 7401 et seq.), until the end of the 2-year period beginning on the date of enactment of this Act, the Administrator of the Environmental Protection Agency may not take any action under the Clean Air Act (42 U.S.C. 7401 et seq.) with respect to any stationary source permitting requirement under section 111 of that Act (42 U.S.C. 7411) relating to carbon dioxide or methane.

(b) Exceptions.—Subsections (a) and (c) shall not apply to—

(1) any action under part A of title II of the Clean Air Act (42 U.S.C. 7521 et seq.) relating to the vehicle emissions standards;

(2) any action relating to the preparation of a report or the enforcement of a reporting requirement; or

(3) any action relating to the provision of technical support at the request of a State.

(c) Treatment.—Notwithstanding any other provision of law, no action taken by the Administrator of the Environmental Protection Agency before the end of the 2-year period described in subsection (a) (including any action taken before the date of enactment of this Act) shall be considered to make carbon dioxide or methane a pollutant subject to regulation under the Clean Air Act (42 U.S.C. 7401 et seq.) for any source other than a new motor vehicle or new motor vehicle engine.

SA 216. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 304. SUBCONTRACTOR NOTIFICATIONS.

(a) FINDINGS.—The Senate finds that—

(1) the debt of the United States exceeds $14,000,000,000,000;

(2) it is important for Congress to use all tools at its disposal to address the national debt crisis;

(3) Congress will not earmark funds for projects requested by Members of Congress;

(4) the earmark ban should be utilized to realize actual savings.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the United States should reduce spending by the amount resulting from the recently announced earmark moratorium.

SA 217. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. ELIMINATING THE NATIONAL HISTORIC COVERED BRIDGE PRESERVATION PROGRAM.

(a) REPEAL.—Section 3224 of the Transportation Equity Act for the 21st Century (Public Law 105-178; 112 Stat. 225; 112 Stat. 837) is repealed.

(b) FINDING.—Notwithstanding any other provision of law—

(1) no Federal funds may be expended on or after the date of enactment of this Act for the National Historic Covered Bridge Preservation Program under the section repealed by subsection (a); and
(2) any funds made available for that program that remain unobligated as of the date of enactment of this Act shall be rescinded and returned to the Treasury.

SA 218. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ____. TERMINATING LEFTOVER CONGRESSIONAL ACCOUNTS.

(a) In general.—Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect.

(b) Definition.—For purposes of this section, the term “earmark” means a congresional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV. (c) Expiration.—Any funds appropriated in fiscal year 2011 to any program shall be reduced by the total amount of congressional earmarks or congressionally directed spending items contained within a committee report or joint explanatory statement accompanying such an Act that provided appropriations to the program in fiscal year 2010.

(d) Rescission.—The amounts reduced by subsection (c) are rescinded and returned to the Treasury.

SEC. ____. REDUCING THE NUMBER OF NON-ESSENTIAL VEHICLE PURCHASES.

Notwithstanding any other provision of law, not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant departments and agencies to—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP);

(2) identify and report to Congress any legislation intended to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 report entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP);

(3) determine the total cost savings that shall result to each agency, office, and department from the actions taken described in subparts (a), (b), and (c) and described in subparagraph (A) of subsection (b); and

(4) rescind from the appropriate accounts the amount greater of—

(A) $5,000,000,000; or

(B) the total amount of cost savings estimated by paragraph (3).

SEC. ____. ELIMINATING THE TAX CREDIT SUBSIDY OF ETHANOL.

(a) Elimination of Excise Tax Credit.—The excise tax credit provided in section 40(h) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2011” and inserting “the date of the enactment of the SBIR/STTR Reauthorization Act of 2011”.

(b) Elimination of Income Tax Credit.—The income tax credit provided in section 25C of the Internal Revenue Code of 1986 is amended by striking paragraph (3) of subparagraph (B) of section 25C of the Internal Revenue Code of 1986.

(c) Elimination of the Tax Credit Subsidy for Ethanol.—The tax credit provided in section 111 of the Internal Revenue Code of 1986 is amended by striking paragraph (6).

SEC. ____. TERMINATING LEFTOVER CONGRESSIONAL ACCOUNTS.

(a) In general.—Section 396 of the Communications Act of 1934 (47 U.S.C. 396) is amended by adding at the end the following new subsection:

“Prohibition on Federal Funds After Fiscal Year 2012

“(a) No Federal funds may be made available to the Corporation for Public Broadcasting for fiscal year 2012.”

(b) Corporation Prohibited from Accepting Federal Funds.—Subsection (d) of section 306 of the Communications Act of 1934 (47 U.S.C. 306) is amended by striking “every three years thereafter” after “1989,” and inserting “through fiscal year 2012”.

(c) Conforming Amendments.—Section 306 of the Communications Act of 1934 (47 U.S.C. 306) is further amended—

(1) in subsection (k)(3)(A)(iv)(II), by inserting “through fiscal year 2012” after “amounts received”; and

(2) in subsection (m)—

(A) in paragraph (1), by inserting “through fiscal year 2012” after “every three years thereafter”; and

(B) in paragraph (2), by inserting “through fiscal year 2012,” after “1989.”

(d) Partial Rescission of Funding for Corporation for Public Broadcasting.—Notwithstanding any other provision of law—

(1) $100,000,000 of the funds made available for fiscal year 2012 under the heading “Corporation for Public Broadcasting” in division D of Public Law 111–117 are rescinded; and

(2) a portion of the remaining Federal funds made available under the heading “Corporation for Public Broadcasting” under subsection (d) of section 306 of the Communications Act may be used during that fiscal year by the Corporation to wind down its operations.
SEC. 602. REPEAL OF LIMITATION ON HEALTH FLEXIBLE SPENDING ARRANGEMENTS UNDER CAFETERIA PLANS.

Section 4(g)(3) of the Statutory Pay-As-You-Go Act: Ensuring Transparency and Accountability in the Digital Age.

At the end of title V, insert the following:

SEC. 601. REPEAL OF DISTRIBUTIONS FOR MEDICINE QUALIFIED ONLY IF FOR PRESCRIBED DRUG OR INSULIN.

Section 9003 of the Patient Protection and Affordable Care Act (Public Law 111–148) and the amendments made by such section are repealed; and section 3676 of the Social Security Act (42 U.S.C. 1396w–1 14(a)(3)(E)).

SEC. 602. REPEAL OF LIMITATION ON HEALTH FLEXIBLE SPENDING ARRANGEMENTS UNDER CAFETERIA PLANS.

Sections 9005 and 10902 of the Patient Protection and Affordable Care Act (Public Law 111–148) and section 103 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152) and the amendments made by such sections are repealed.

SEC. 225. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 226. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 227. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 228. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, line 9, strike “2019” and insert “2023”.

On page 4, line 17, strike “2019” and insert “2023”.

AUTHORITY FOR COMMITTEES TO MEET

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 15, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON TRANSPORTATION

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Transportation be authorized to meet during the session of the Senate on March 15, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on March 15, 2011, at 10 a.m. in room 262 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on March 15, 2011, at 10:15 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The Freedom of Information Act: Ensuring Transparency and Accountability in the Digital Age.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 15, 2011, at 2:30 p.m.

“(V) not permanent, temporary in nature.

“(ii) Unforeseen.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.”.